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THE ANNEXATION OF TEXAS.

1. *Commonwealth of Massachusetts. Report on the Annexation of Texas to the United States.—1838.*
2. *Speech of Mr. Preston of South-Carolina on the Annexation of Texas. Delivered in the Senate of the United States, April 24th, 1838.*

CAN Texas be constitutionally annexed to the United States as a State?

This inquiry is suggested by the well-known fact, that Texas has applied for admission into the Union, and a consideration of it, at this time, seems to be proper, inasmuch as the result of this application is uncertain, and, even if the power be conceded, must depend finally on the state of public opinion.

It is an admirable feature of the American Constitution, that the powers it confers, are explained with great distinctness,—that the language of that compact is plain, simple, and easily understood. It is obvious upon the face of the Constitution, that Congress has the unquestionable power to admit new States into the Union. By the third section of the fourth article, it is declared that “new States may be admitted by the Congress into this Union.” The requisites for the admission of new States into the Union have been subsequently defined by law. New States, prior to their admission, must possess a certain number of inhabitants,—a number equal to that which entitles a State to a representative in the popular branch of the National Legislature.

The Constitution, then, gives the power to Congress to admit new States into the Union, and since the formation and adoption of that instrument, has frequently and freely exercised the power. We were originally only twelve States,—we are now twenty-six; so that Congress, on fourteen different occasions, has exercised its prerogative of admitting new States into the Union. The admission of new States, accordingly, is no novelty; it constitutes no innovation upon the law; it introduces no precedent of danger-

ous or doubtful tendency. It is a measure of political right and expediency, resulting from the wise provisions of government, and adapted to the circumstances of a people daily increasing in number and occupying a territory almost boundless in extent. Texas then, if she be a State, possessing the qualifications prescribed by law for the admission of new States, may, in our opinion, be constitutionally admitted into the American Union, and when admitted, possess all the rights, powers and privileges appertaining to the other States of which the Union is now composed.

It is objected, however, that Texas cannot be admitted,—

1. Because she is a *foreign* country, not being within the limits assigned to the United States by the treaty of peace of 1783.
2. Because she is a *sovereign* State, and her admission into the Union, would present the anomaly of an amalgamation of sovereignties,—a thing unprecedented in the history of this government.

3. Because the admission of Texas would be inconsistent with the *compromise* under which the Constitution was adopted.

These are the principal constitutional difficulties which are supposed to arise in reference to the proposed measure. We shall take them up and consider them in their order. And,

1. Texas cannot constitutionally be admitted into the Union, because she is a *foreign* country. This view of the case has been taken by the Legislatures of Ohio, Rhode Island, Vermont and Massachusetts, and resolutions have been passed by each of those States expressive of their opinion. Tennessee, South-Carolina and Mississippi, on the other hand, have, by the urgent manner in which they have pressed this subject upon the consideration of Congress, afforded proof, that they entertain a different idea of the powers of that body. The question is a serious one, and, we fear, has not been met with a fairness proportioned to its importance. In its discussion, we are not to substitute our wishes for arguments. We are not to approach it, with a view merely to make out a case that shall coincide with our preconceived prejudices, or views of local interests, or of the balance of power between the different sections of the country. We are not to be satisfied with mere assertion or conjecture, however bold the one, or ingenious the other. It is not enough to say, as it often has been said, during this controversy, that "it never entered into the heads of the framers of the Constitution to admit foreign countries into the Union." We have nothing to do with what enters into the heads of statesmen, because it is impossible to judge with accuracy in the premises. But we have to do with their words and acts, because they are our agents, and we are responsible for what they do and say to the world at large. We have to do with the Constitution

which they have framed, because it is the law of the land in which we live. This Constitution has set forth, in distinct and intelligible language, the principles of a government simple in its structure and limited in its powers. We are to investigate this subject with great singleness of purpose, and with these land-marks alone before us for our guidance.

What is meant, then, by the phrase, "New States may be admitted by the Congress into this Union?" And, 1st. what is meant by the word *State*? In the debate in Congress upon the Missouri question, Mr. McLane of Delaware gave an excellent definition of the term. "A State," he says, "is a body of men united together for their common interests. The term imports sovereignty." Now this is an exact description of Texas. We have already acknowledged her independence. By a public act, known to the whole world, Congress has recognized that country as embracing a body of men united together for their common interests in whom resides the attribute of political sovereignty. Texas then, is to all interests and purposes, a *State*, and being so, may, by the power given to Congress by the Constitution, be admitted into the Union, whenever she chooses to apply for admission, and Congress is disposed to exercise the power granted to it at the formation of the government.

But, 2ndly, what is meant by the *admission* of new States into the Union? In the language of the same eminent statesman before quoted, "when we speak of admitting a State into the Union, we can mean nothing more, than the admission of a community of people in whom the sovereign power resides, into another community of States, by which they voluntarily agree to refrain from the exercise of a certain portion of their power, whenever it is incompatible with the power of the Union; in every other respect their power remains as it did before their admission." This is the whole mystery of admitting new States into the Union,—a very plain operation, but which, notwithstanding, has been regarded as complicated by certain political commentators who are determined that the Constitution shall mean, not what the words of it obviously imply, but what they suppose to have been the secret intention of its framers. When they say, that by the phrase "new States," foreign States never could have been intended, we have a right to demand, where, in the Constitution, the exception is made as to foreign States? We find nothing of the kind in that instrument. The words are, "new States," words as general and unrestricted in their application as they can well be. If foreign States or countries were, in every instance to be excluded, the clause in the Constitution should have run thus: "New States may be admitted by the Congress into this Union, but no foreign State or country shall, in any case, be admitted in-

to it." Had the Constitution contained such a clause, it would have been the very limitation for which those who now oppose the admission of Texas contend. The absence of such a clause in a solemn contract, intended to define, with great particularity, the powers of Congress proves, that those who originally drew up the document entertained no such design, but the contrary. We are bound by the terms of the Constitution and its plain and obvious meaning. We are not to go out of or beyond the instrument that conveys the powers, in order to ascertain the intention of its framers. Men die, but their recorded opinions are transmitted to a remote age. Their intention, whatever it might be, is to be gathered from the record fairly interpreted, and from no other source. A State may be a foreign community, as well as a contiguous or neighboring one, and in either character, or in both united, the case presented now by Texas,—may be, for aught we can see to the contrary, constitutionally admitted into the American Union. Would there be any thing wonderful, unprecedented, or unjust, in the exercise of such a power by the United States? Does not the history of every country on the face of the globe furnish instances of an occasional extension of its boundaries by the addition of new countries, and are the United States, through all future time, and under every inducement, to constitute an exception from the practice of the whole world in this particular? What could have appeared more probable to the framers of the Constitution, than that national policy and interests might, at some future day, and upon the occurrence of some contingency, render the admission into the Union of foreign States highly desirable? Why should the hands of a free people be tied down in this respect, while the subjects of an arbitrary government are permitted to act as they think proper in the enlargement of their domain? The Constitution is as it should be. Imposing no restrictions upon Congress in the admission of "new States," it has left that body at liberty to do justice, and whenever policy or necessity requires the admission of foreign countries into the Union, there will fortunately nothing be found in any of its provisions, which will prevent Congress from so doing. There are no words excluding foreign States from the privilege of admission, and until there shall be,—until the Constitution shall be altered, expressly with a view to meet such a case, it cannot be unconstitutional to admit foreign States into the Union.

It is insisted, however, by those who would avoid the clear import of the clause in question,—a clause conclusive, in our view, of the whole matter, that in construing its meaning, we are to view it in connection with the spirit and scope of the entire instrument in which it is found. They quote the high authority of Judge Story, and also of Vattel, in order to prove, that this is the

proper rule to be adopted in the interpretation of all and each of the parts of such a document. The preamble to the Constitution is supposed to contain a limitation by means of which the more general terms conveying the power under consideration, are supposed to be restricted. Let us consider this point. The preamble runs thus:—*We, the people of the United States*, in order to form a more *perfect union*, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to **OURSELVES AND OUR POSTERITY**, do ordain and establish this Constitution **FOR THE UNITED STATES OF AMERICA**: and the phrases in this preamble supposed to limit the power of Congress in the admission of new States, are those which affirm, *by whom*, the Constitution was formed; *for whom*, it was ordained; and *over whom*, it was designed to extend the arm of its protection;—ordained and established **BY the people of the United States, FOR the United States**, and in order to secure **TO said people and their posterity** the blessings of liberty. Now if this preamble contains a restriction which will limit the powers of Congress in the admission of new States, it appears obvious to us, that it is a restriction which will prevent the admission, not merely of foreign States, properly so called, but the admission into the Union of any States whatever, even of such as might be formed out of the existing territories of the United States at any subsequent period. The objection is, foreign States cannot be admitted, because the Constitution was made **FOR the United States**. What United States are here referred to? If the words are construed strictly, they must mean States then in being,—not such as had no existence. It is admitted by the objectors, that territories within the domain of the United States, may be erected into States, and, as States, be admitted into the Union. But nothing is said in the preamble about the blessings of liberty being secured to States so formed, and nothing is said in it about foreign States. The same rule founded on the limitations of the preamble which would exclude the admission of foreign States into the Union, would also, in strictness, exclude the admission of States formed out of the existing territories of the United States. If the preamble is to govern in this matter, the phrase, in order to authorize the admission of States formed out of the territories of the United States, should have run thus:—“do ordain and establish this Constitution for the United States of America now existing and for such other States, formed within its territorial limits, as may hereafter be admitted into the Union.” The objection, therefore, though made by Mr. Jefferson, goes for nothing, and it is proper to remark, that the whole course of his administration, as far as his most applauded acts are concerned, proves that it rests on no sufficient foundation.

The treaty of peace of 1783, defined, it is said, the limits of the United States. There is no doubt of it, but this proves nothing. That treaty does not define the future, but only the then existing limits of the United States. Notwithstanding its binding force, the limits of the country might be extended, at a future day, so as to embrace, if need be, the whole of Mexico, or even the whole of South America. The country was doubtless large enough for its inhabitants at the time of the formation of the government, and its founders, probably, were not ambitious to extend its limits, but whatever might have been their views on the subject, one thing is certain, that they introduced into the Constitution no clause to prevent a further extension of its territory, by conquest, treaty, purchase, or any other mode of acquisition. They left this matter open for the action of their "POSTERITY" in a future age.

Apart from the Constitution itself, its contemporaneous exposition by distinguished statesmen has, we admit, been regarded by some, as high evidence of the intention of its framers. Its principles were thoroughly discussed by minds that adorned that period with great learning and uncommon force of talent. Every part of the new theory of government was subjected to the strictest scrutiny. How happens it, it is asked, that this power of an unlimited extension of territory, if it ever was contemplated by the founders of the government, should not have been embraced among the subjects of discussion of that period? "Why did they not object, that it" (the United States) "had within itself this power of unlimited extension? It could only be, because such a construction of the Constitution was not dreamed of." We draw a very different inference from their silence,—not that they "dreamed," but that after a mature consideration of the whole subject, taken in connection with the future possible interests of the country, they came to the prudent conclusion, that it did not become them to fetter, in the slightest degree, such "power of extension." We have not seen any discussions of a very early period, in which this power was called in question, and its expediency distinctly considered. There may have been, and probably were such, put forth in the fugitive publications of the day, which were intended to influence public opinion, but which have not come down to us. Be this as it may, "the great men who were active at the time of the formation and adoption" of the Constitution, had not passed off the stage when the very power in question,—the power of increasing the territory of the United States beyond the limits assigned to it by the treaty of peace of 1783, came up for consideration, and these very individuals who shed the light of their genius upon the most difficult and delicate points connected with the discussions of the period,—such men as Madison and Jefferson and their immediate successors in office, were among the first to advocate, with all the weight of their

talents, the power under consideration,—the power to annex foreign territory to the Union. It is said that Jefferson, at first, doubted as to the constitutional right of the United States to exercise this power. It was, however, exerted by himself, in his executive capacity, in the acquisition, by treaty, of the rich and extensive territory of Louisiana as early as 1803. If he had ever entertained doubts as to the right of the President to treat for, and of the United States to acquire, foreign territory, his personal activity and the lively interest which he took in securing Louisiana for the United States, affords the strongest presumptive evidence that his doubts were dissipated, and that in its acquisition, he was satisfied that he was acting under the clear powers granted by the Constitution.

It would be indeed a doctrine not less unprecedented than dangerous, to insist that the United States,—the strongest government on earth, could not constitutionally add a solitary acre to its original domain. What, not able to acquire territory, when, by the 8th section of the first article of the Constitution, the power is expressly given to Congress, “to declare war, grant letters of marque and reprisal, and make rules concerning *captures on land and water!*” Assuredly, the power to acquire territory is a necessary incident of the power to capture it. He who captures, *ipso facto*, acquires—obtains possession of—succeeds to the title of a thing. The United States, then, may constitutionally acquire territory to any extent. Its policy has been, and is, to do it peaceably by treaty, and not by force, except where necessity requires it,—but that it possesses the power to extend its limits, is a clear point, and it is well known to the whole world, that under the supposed sanction of the Constitution, it has, in several instances, very advantageously to the Union, exercised the power.

As the principal constitutional objection to the annexation of Texas to the Union, as a State, arises however from the fact that she is a foreign country;—if it can be shown that she once belonged to the United States, and that the conveyance of her by us to Spain was an unconstitutional act, and that upon strict principles of justice, Texas belonged to this country at the very time of achieving her independence, it would then appear, that this objection founded upon the assumption that Texas is a foreign country cannot be sustained. Mr. Preston, in his able and eloquent speech, delivered in the Senate of the United States on the subject in April last, has placed this matter in so strong and clear a light, that little doubt can be entertained by any one, that the valid title to Texas, at the time referred to, was in the United States, and not in Spain or Mexico, and that our government had clearly transcended its powers in the act that transferred that valuable and important country to Spain.

Mr. Preston proves, "that the territory occupied by the republic of Texas, was at one time a part of the United States," in the following manner:

"In 1762, France ceded Louisiana to Spain. In 1800, by the treaty of Ildefonso, Spain re-ceded it to France.—(See the words of the treaty.)

"In 1804, France, by the treaty of Louisiana, ceded it to the United States. The United States thus obtained title to whatever was conveyed to Spain by the treaty of 1762, the effect of the intermediate conveyance being precisely the same as if the conveyance by the treaty of 1762 had been made directly to us instead of to Spain. The extent of the French claim, therefore, determines ours. The title of France to the Mississippi, and to the territory drained by its western tributaries, has never been disputed. It rested upon the discovery made by La Salle in 1683, who penetrated from Canada by land, descended the Mississippi, and established a few posts on its banks. A short time afterwards, La Salle, endeavoring to enter the mouth of the Mississippi from the Gulf, passed it unperceived, and, sailing westward, discovered the bay of St. Bernard, now called Matagorda, whence, penetrating a short distance into the interior, he established a military post on the bank of the Guadalupe, (whose ruins exist to this day,) and took possession of the country in the name of his sovereign. The discovery and the possession were precisely such as gave title to the Mississippi, made by the same enterprising individual, about the same time, and the occupation for France was attended by all the circumstances and incidents which characterized that of St. Louis or the Island of Orleans. It was this perfect similarity of the muniments of title which authorized Mr. Monroe and Mr. Pinckney, in 1805, to hold this emphatic language to the Spanish Commissioner: 'The facts and principles which justify this conclusion are so satisfactory to their Government as to convince it, that the United States have not a better right to the island of New Orleans, under the cession referred to, than they have to the whole district of territory west to the Rio del Norte.'

"The extent of territory which should enure to the French Crown, by virtue of this discovery and occupation, was determined on the east by the discoveries of La Salle on the Mississippi, with which those on the St. Bernard's were of course connected. On the west the extent was determined by the application of a principle recognized by the European Powers making settlements in America, viz. that the dividing line should be established at a medium distance between their various settlements. At the period of La Salle's settlement, the nearest Spanish possession was a small post called Panuco, at the point where a river of that name falls into the bay of Tampico. The medium line between Panuco and the Guadalupe, on which was La Salle's fort, was the Rio Grande del Norte, which river was therefore assumed as the true boundary between France and Spain. France never failed to assert her claim to that boundary from 1685, the period of La Salle's discovery, up to 1762, when, by the cession of Louisiana to Spain, the countries were united and the boundaries obliterated."—p. 5.

In support of his views, Mr. Preston quotes the authority of Mr. Adams, who has collected all the learning on the subject, and

presented it in a masterly and "conclusive" letter, addressed to Don Onis, of March, 1818. When Mr. Adams came into office, it was accordingly, one of the favorite measures of his administration to recover possession of Texas which had been lost to our country by the treaty with Spain in 1819. Although with the singular inconsistency and waywardness which has marked the entire political career of that eccentric statesman, he opposes at this time, with passionate vehemence, the admission of Texas into the Union, yet the reasons which should influence the United States in receiving favorably her application, remain in full force, notwithstanding his change of opinion. Besides, our clear right to that portion of Louisiana called Texas, has, as Mr. Preston remarks, been fully recognized by "all our statesmen, whose attention has been turned to the investigation" of the subject. "Mr. Jefferson, whose turn of mind led him to such investigations, and whose thoughts, as every one knows, were long and deeply engaged upon all matters connected with Louisiana, expressed himself in the most positive manner. Messrs. Monroe and Pinckney, in 1805, used the language I have before quoted, in obedience to instructions from Mr. Madison, at that time Secretary of State. Mr. Monroe, when President, held an equally strong language, through Mr. Adams his Secretary of State. Thus, we have the authority of Jefferson, Madison, Monroe and Adams, officially and emphatically announced to us. General Jackson is known to have entertained the same opinion. And to these let me add the very high authority of another distinguished name; that of the honorable Senator from Kentucky." Mr. Adams, when made President, was the first to propose and subsequently to enter into a negotiation for the re-annexation of Texas. Mr. Clay was then Secretary of State, and Mr. Poinsett, our Minister to Mexico, and the President instructed his Secretary, and the Secretary the envoy, to use his utmost exertions to effect an object deemed so important to the interests of the country. The negotiation failed, but when General Jackson came into power, it was renewed and conducted with the zeal and energy that have characterised all the acts of that indomitable man. Mr. Van Buren, the Secretary of State, urged upon Mr. Poinsett, who was still our minister in that region, the importance of regaining the lost territory and setting up the old limits which had been agreed upon in our treaty with France of 1804. He placed in a strong light the advantages which would result from the reacquisition, such as the establishing of the most natural boundary line that could be set up between ourselves and Mexico,—and the one most safe for the interests, moral, commercial and political of both countries. He adds further, as worthy of being insisted on, that the consent of Mexico to the proposed measure, while it would not prejudice, but promote the interests

of that country, would, at the same time afford the strongest evidence of her friendship for the United States. If the authority of great names, therefore, will carry the measure, its success is certain. Mr. Calhoun has declared himself in favor of the annexation, and the distinguished Senator, whose speech now lies before us, has exerted himself for its accomplishment with a zeal and energy that entitle him to the thanks of the whole country, and more especially of the Southern portion of it.

A question has been asked during the discussions respecting Texas, of no little importance and interest. It is, whether the United States, can, in any case, alienate its territory. When it was proposed to give up Texas to Spain in 1819, Mr. Clay objected, on the ground that the treaty making power was not competent to alienate any portion of the territory belonging to the Union, insisting, that the power to do so, rested solely with Congress under that clause of the Constitution which says, that "Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States." But Mr. Preston, in his Speech, takes still "higher ground," and maintains, that neither the treaty making power, nor all the powers of the government united, are sufficient to alienate the territory of the United States, or any portion thereof. He looks upon the assumption of such power as dangerous in the extreme. If the vacant lands within the States were conveyed to foreign powers, it is impossible to say what might be the consequences, but it is easy to see, that such an alienation of our territory might be unsafe for the country. The clause in the Constitution referred to, was introduced in order to enable Congress to dispose of the large grants of land ceded by several States to the United States. It is worthy of remark, that the words used are, "shall have power *to dispose of*," not "shall have power *to convey or alienate*." The latter power is not given by the Constitution to Congress, and cannot therefore be exercised by that body. A power *to dispose of*, is not a power *to convey*.

But, secondly, it is urged, that Texas cannot be annexed to this Union, as a State, because its annexation, as such, would present the anomaly of an amalgamation of sovereignties,—a thing unprecedented in the history of our government. This is the ground taken by the Massachusetts Report, and a great deal of logic is unnecessarily expended in attempting to show what we are, by no means disposed to deny, that sovereignties are, in the nature of things, unalienable. The argument is, that Texas is a sovereign State; but if Texas is admitted into the American Union, her sovereignty becomes merged in ours,—her sovereignty is alienated; but this is inconsistent with the very nature of sovereignty, as all the writers on the Laws of Nations, Vattel, Puffendorf,

Locke, Ward and others, tell us. Sovereignty can never be alienated.

This is true. Sovereignty cannot be transferred from one country to another by the voluntary act of either, and Texas is undoubtedly a sovereign State. A people may lose its sovereignty. The stronger power may subdue the weaker, and compel the latter to submit to new laws and a new form of government, but the sovereignty of one country can never become the property of another. Sovereignty is not an article of traffic. It is not a thing that can be bought or sold. Nations may be merged in each other; they may lose their separate character; they may sink their independence in subjection to some foreign power; but sovereignties cannot be blended, any more than they can be separated into parts. The error in the argument consists in supposing, that the admission of Texas into the Union is predicated on the supposition of an alienation of her sovereignty, or a merging of her sovereign power in that of the Union. Now it is not pretended that Texas, by such an act, would part with a scruple of her sovereignty; on the contrary we maintain, that she would remain as completely sovereign as she was before her admission. She might, and would on sufficient grounds, *refrain from the exercise of her sovereignty in certain respects*, but no portion of her power would be alienated. Did Rhode Island part with any portion of her sovereignty when, after standing out for a length of time, she finally consented to join the Union? Did North Carolina? Here, if ever, there was a meeting and amalgamation of sovereignties. Texas cannot present a case more in point. Did any one ever pretend any such thing, that Rhode Island had, by the act of union, given up, and the United States gained some portion of her original, *unalienable* power? Such a thing would be impossible. A sovereign can never be less than a sovereign, until he ceases to be a sovereign altogether.

A distinction is attempted to be taken in the Massachusetts Report between the case of the admission of Louisiana, confessedly the territory of a foreign country, and the proposed admission of Texas, on the ground, that Texas is a sovereign State, while Louisiana was a colonial dependency of France, at the period of the treaty by which she was acquired. There is some confusion here. Is it intended to assert that Louisiana was admitted into the Union as a French colony? It cannot be pretended. Louisiana was admitted into the Union, not as a dependency on a foreign power, but as a State—a sovereign State. So was Missouri, and so was Arkansas; and if Texas comes into the Union at all, she must come in as a State, with all the rights, powers and privileges of sovereignty. She could not be admitted otherwise. The Constitution makes no provision for the admission of territo-

ries, but only of States, into the Union. Territories that wish to be admitted, must first become States,—must first invest themselves with the mantle of sovereignty, and then, and not till then, can they be admitted. In this manner the Union was originally formed. We came together, in the first instance, as States, and the idea of divesting ourselves of sovereignty, because we had united together for certain purposes, was never, for a moment, entertained. The Constitution, which sets forth the objects of the Union, is stated in the preamble, to have been "ordained" expressly for "the States." Certain powers were delegated to the general government, which thus became the agent of the States, empowered to execute their sovereign will in particular cases. When the Massachusetts Committee speak of "Texas merging her existence in ours," they lose sight entirely of the elementary principles which enter into the very structure of our government. They forget the sovereignty of the States, and seem to take for granted, that insurmountable difficulties to the proposed measure result from their own theory of a consolidated government, in which the rights of the State become "merged" in the omnipotent power of the Union. The idea of "the union of two independent governments" startles them as an innovation,—a thing strange and unprecedented. If they will look a little into the history of this government from the earliest period, they may chance to find, that this great and powerful Union towards which they turn their eyes with admiration, is nothing more nor less than "the union of independent governments."

But 3dly, let us consider the objection to the admission of Texas, predicated on the supposition, that such admission would be inconsistent with the *compromise* under which the Constitution was formed. This objection is thus stated by the Massachusetts Committee:

"Many conflicting interests were reconciled, and the relative privileges, and powers of all were adjusted, in reference to the existing state of things, and in part undoubtedly in reference to the extent of territory, and probable population, represented by different interests. The reason for this would be destroyed, if there were a liability to change the relative weight, and influence of different sections, and thus create a new division of power, by the addition of states, not contemplated at the time, upon mere motives of general policy. A provision was inserted for instance, which would give the slave states larger power and influence than the northern, in proportion to the free inhabitants of each, not from any inherent propriety in the rule itself, but undoubtedly among other reasons, because the slave states were in the minority, and looking to the territory of the United States only, always must be in a minority; and they demanded something, which would answer as a protection for their peculiar interests. Would our fathers have consented to this, if it had been contemplated, that states without the then

United States, might be admitted to participate in our government, and thus entirely destroy the balance which it was intended to create, so that (as would be the case should Texas be incorporated into the Union,) the unequal privilege, which was given to protect the weak, should at last, be used to make the power of the strong more irresistible? The committee do not here speak of the injustice of this effect, though it would be flagrant, but they allude to it to show the improbability that such a principle as they are contending against, which would disturb all the harmony and relation of its parts, should have been intentionally inserted into the constitution, or contemplated by its founders, and especially that it should have been assented to by the people of the North."—p. 15.

The assertion here is, that the Constitution embraced a provision to increase the relative power and influence of the slave States in the Union, because those States were in a minority. This however, as Mr. Preston shows, is false in fact. The slave States, at the time the Constitution was adopted, were not in a minority, and the compromise relied on as an objection, has therefore nothing to do with the matter. Of those returned to the first Congress, two-thirds were slave-holders. The slaveholding had forty-two, and the non-slave-holding twenty-seven, representatives in the popular branch of the government, and in the Senate the former had eighteen and the latter twelve. The predominance of political power was therefore, actually in the slave-holding, and not in the non-slave-holding States, as has been asserted.

It is time that this clamor which is raised at the North about the compromise under which the Constitution was formed had ceased. We have seen that this pretense of concessions of which we are perpetually reminded, is mere pretence,—that it will not justify the boasting to which it has given birth. No such concessions were in fact made. Besides, if there had been,—if the North had on that occasion displayed some degree of liberality towards the southern section of the confederacy, did the North lose any thing by its liberality, or did the South gain any thing but its rights? We, in our day, know of no compromise,—we never will consent to know of any, but the Constitution itself. That is our compromise, and we find nothing in it that makes invidious distinctions between different States and different sections of our common country,—which shares out power with a more liberal hand to the South than to the North,—to the East than to the West. No State that belongs to the family of States is less sovereign than another, and if any one is stronger and exerts more influence than another, it does not result from an unequal distribution of political privileges, but from circumstances which no government can control. If one State greatly increases in population beyond another, it will of course, conformably to the organization of our peculiar system of government, possess more politi-

cal power than the other. If one State gives birth to a greater number of distinguished men than another, it will exert a superior corresponding influence in the councils of the nation. Have the free republican States of America any reason to complain because power takes such a direction,—because the popular will, guided by wisdom and intelligence, obtains the ascendancy in all matters touching the interests of the citizen? Did not the Constitution contemplate just such a result? It is the finest feature in our system, and deserves to make a government, founded on such maxims, the admiration of the world. If Massachusetts calls for more power, let her keep her enterprising and intelligent citizens at home; let her prevent them from emigrating, as they now do in large numbers, to the South and to the West. If she is aggrieved that the statesmen of the South take the lead in all the great measures that come before Congress, and rise to the highest distinctions in the government, let her remedy the evil by training up better orators, more skilful diplomatists, and men who understand more thoroughly the theory of all governments, especially our own, and who shall be better able to meet their competitors on the same floor, on equal terms, in any argument. This is the only legitimate way for any State to obtain power in this country,—a power that shall be honorable to the State that wields it. Power is desirable, as an instrument of good. Individuals and nations long ardently for power,—for precedence,—for an increase of influence. It is natural and right that they should do so. But if the desire of power is strong in the human breast, the love of freedom is a sentiment equally powerful and still more noble. We love our own free institutions with an intense affection, and the sound of the word freedom, when it falls upon an American ear, awakens far more animating and more delightful feelings than that of power. When we hear that any of the despotic governments of the old world, in imitation of our example, have abridged the power of the monarch in order to extend the liberty of the subject, we are gratified by so favorable a change in the destinies even of a foreign people. When Mexico threw off the yoke of Spain, proclaimed her independence and established a representative form of government in which many of the elements of freedom were mingled, we rejoiced in her success, because liberty and human rights had achieved a triumph; but when that representative government lost all its nobler features and degenerated into a military despotism, our sympathies were withdrawn from Mexico, and were enlisted in the cause of Texas who rose against Mexico in order to vindicate those rights which Mexico had promised to protect, but which she did not scruple to violate. And now that Texas, ardently attached to the freedom for which our ancestors suffered and died, wishes to be admitted into the Union in order that she

may enjoy and transmit with greater security to posterity that same precious inheritance of freedom, are we to spurn her ignominiously from us and refuse her request, because some of the States of this Union, actuated by feelings of jealousy, regard it as inconsistent with their "local interests" to grant it? What "local interests" of any State would be affected by the measure? None, that we are aware of. Massachusetts, who seems to have taken the lead in opposition to it, need not fear that Texas will be her rival, or that she will be less powerful and less respected as a State, because Texas is admitted into the Union, and enjoys, along with her, the common privileges which the Union secures to all its members. On the contrary, she in connection with all the other States, will be stronger for the addition. It will be only another rod added, which will make the whole bundle of rods more difficult to be broken by any power foreign or domestic.

LINES,

SUGGESTED BY THE LOSS OF THE PULASKI.

They are gone in their beauty,—swept off in their pride,
The loved and the loving who walked by our side;
The silver-haired grandsire, the babe in its glee,
Together went down to the depths of the sea!

The gentle-voiced mother,—the bride of to-day,
With the hearts that adored them are vanished away;
In the darkness of night,—from the calmness of sleep,
They woke to the rush of the merciless deep.

The youth who at sunset looked out o'er the main,
And spoke of the morrow, shall look not again:
And the rosy-cheeked girl, with her joy-lighted eyes,
Hath passed as a star from the midst of our skies.

The sister who loved us,—the brother so brave,—
The friends of our bosom, no effort could save;
The waters closed o'er them, unheeding their prayer,
Unmindful alike of their hopes or despair.

Ah! sad are the hearts where their images dwelt,
And lonely the homes where their presence was felt;
As sunlight departed, or music gone by,
Are they whom we worshipped, and deemed not could die!

We know not their graves,—and we may not repair
To scatter pale roses and violets there;
The caverns of ocean no secrets disclose,
Or tell where the forms we have cherished repose.

But calm are the waters,—and proudly once more
Tall vessels speed on o'er the track as before;
Yet hushed be the mirth of the crowd on the deck,—
Be solemn,—nor smile as ye pass o'er the *wreck!*

For *ye* have none lovelier, dearer than they,—
Their hearts were as fearless, their spirits as gay;
Like the singing of birds was their musical glee,
But ah,—it hath ceased in the roar of the sea.

They are gone,—let us weep for the forms we loved best,
They are gone,—let us *joy* for their spirits at rest!
They are gone,—and they sleep in the darkness of night,
They are gone,—and they *wake* in the regions of light!

We mourn, and Jehovah will chide not the tear,
Since Christ, our Redeemer, hath wept o'er the bier!
We grieve for the dead, and for those who are left—
The desolate orphan—the widow bereft;—

For the mother who gazed with delight on the charms
Of the rosy-lipped child that reposed in her arms,—
And the husband who looked with unspeakable pride
In the shadowless eyes of his beautiful bride!

They are gone,—and earth's glory seems faded and sad,
They are gone,—and its music no longer seems glad;—
But lo! there are added new forms to the band,
Where spirits of beauty and happiness stand!

There are voices in *Heaven* that never before
Have chaunted so sweetly the Name they adore;
They are parted from earth,—but we still our regret,
In the hope of rejoining our lovely ones yet.

ELORA.

Philadelphia, June 29th.

RANDOM RECOLLECTIONS OF REVOLUTIONARY CHARACTERS AND INCIDENTS;

BY ONE WHO HAS OFTEN HEARD THEM NARRATED BY THE ACTORS IN
THOSE TIMES OF TRIAL; OR BY LOOKERS ON.

NUMBER TWO.

COL. PHILEMON WATERS, a native of Virginia, served with Washington in his first campaign against the French and Indians. He was one of the little party, who under his command erected and defended the stockade fort, at the Great Meadows, called Fort Necessity. While that Fort was besieged, the sentinel for several succeeding nights had been shot down at a post which was regarded of great importance as well as of danger; in his turn, Waters was there posted; he charged his musket or blunderbuss with slugs or buck-shot. In the course of his tour of duty, some noise like that made by a hog, attracted his attention, and on observing closely, he thought he could see by the moonlight, the tall grass of the prairie (or meadow, as it was then called,) shaking. "He put," (to use his own expression,) "three hails in one," fired and killed two Indians and three Frenchmen. They were on all fours, behind each other, stealthily approaching the sentinel when his well directed fire defeated, so fatally, their purpose. On the surrender of the post, the French commander inquired for the sentinel who had occupied the post, fired without hailing, and killed the two Indians and three Frenchmen, with a view of excepting him (as it was supposed) from the amnesty granted to the garrison. Washington unwilling to expose his gallant young soldier to danger, *for once* spoke falsely, and said he had been killed during the siege. He subsequently served in Braddock's war.

After the French and Indian war had been brought to a close, he removed from Virginia to Newberry, in the State of South Carolina. At the commencement of the Revolution he took the part of Liberty and Independence: and his sword, which was then drawn, returned not to its scabbard until both were won and both were secured.

He was an active, daring officer, with a head to conceive and a hand to execute the most difficult enterprize. He was in most of the regular actions fought at the South, and in many a partisan affair. He often said, he "never was in a pitched battle, in which he was not defeated?" "Eutaw," he said, "was the nearest approach to a victory in such a battle, in which he had ever participated;" but said he, in the boastful style pardonable in the veteran

soldier, "I never fought a partisan affair, in which I was commandant, in which I was not victorious."

At the battle of Stono, he commanded a company, and on the retreat observing an American field-piece, which the men had abandoned, he ordered his own men to lay hold of the drag ropes, and in the face of the enemy succeeded in bringing it off.

He was a Major in Sumter's State troops, and partook largely in all the honors and perils of Eutaw.

After that time he erected a block house, on his own plantation, at Water's Ferry, Saluda River, and encouraged the tories by promises of protection, to come in, lay down their arms, and become peaceable citizens. Many, very many of the deluded citizens of Newberry and Edgefield, confiding in promises which they believed would not be, and which were not, broken, returned to their homes, and became useful men and good citizens.

In some one of his partisan affairs he had captured a tory, who by his activity had rendered himself obnoxious to many. On Water's command uniting with a larger party under the command of a superior officer, the latter determined on killing the prisoner: he drew his sword, and rushed forward to strike, but the stern and unbending old soldier, Waters, threw himself between them, and announced to his superior that the prisoner was under his protection and "*should not be harmed.*" The purpose of vengeance was not abandoned. Waters was peremptorily ordered to stand out of the way! "Africa," said he to his servant, "bring me my rifle!" No sooner said than done. With his rifle in his hand, and with an eye that never quailed, he said to his superior officer, "now strike the prisoner!—the instant you do it, I will shoot you dead!" It is hardly necessary to add the blow was not struck and the prisoner was saved.

After the war he was elected to and served repeatedly in the Assembly. He was a member of the Convention which ratified the Constitution of the United States. He was opposed to it: but fortunately his opposition was vain, and he lived long enough under it to rejoice at his defeat in this instance.

When Gen. Washington visited the South, Col. Waters met him at the Juniper, in Lexington District, on his way from Augusta to Camden. It was the meeting of brother soldiers, who together had faced many dangers, and shared many difficulties. Both had been great shots, with the rifle, and on a challenge from the General, their last meeting on earth was signalized by a trial of their skill, off-hand, at a target 100 yards distant, with the same unerring weapon. Who was conqueror in this trial of skill is not remembered.

He was Colonel of the Regiment of Militia in the fork between Broad and Saluda Rivers from the peace until '94.

He died in the year 1796.

Major JOHN CALDWELL was one of the first settlers of Newberry District. He was a deputy-surveyor, and made many of the first surveys on Saluda, Bush River, Mudlick, and Little River. Some idea of the manner of living and scantiness of fare to which the first settlers were subjected, may be formed from a supper made by Major Caldwell, on one of his surveying trips, at the house of Barney Mounts, who was rather better provided with the means of living than his neighbors. The whole supper consisted of "*mush, (boiled corn meal) and hogs-head.*" During the progress of the Major's attack upon the "*mush,*" his host with kind and hospitable interest, was constantly exclaiming to his wife, "*bring a leetel more of the hock's putter to make the Maj'r's mush go down slickery.*"

Major Caldwell was a member of the first Provincial Congress in 1775. By that body he was elected a Captain in Col. Thomson's Regiment of Rangers. He raised a fine company consisting of his own brother and other young men of the most respectable families in Laurens and Newberry. He served for some time. He was, I presume, present at and shared in the gallant defence of Sullivan's Island on the 27th of June, 1776, as I perceive from Moultrie's Memoirs, that Col. Thomson's Regiment was on the Island at that time.

After having seen some service, he retired to private life and used every effort which a good man and a patriot could use, to bring about a pacification between the whigs and tories of his neighborhood. It was, however, in vain to attempt to hush the storm which had already begun to rage.

Major Caldwell as has been already related, was inhumanly murdered in the progress of the "Bloody Scout." He left no issue. His brother William Caldwell as his heir at law, inherited his fine real estate on Mill and Mudlick Creeks. Of him we propose next to speak.

WILLIAM CALDWELL was many years younger than his brother Major Caldwell. He was an active young man at the commencement of the war, and enlisted in his brother's company in Thomson's Regiment of Rangers. He partook in the services of that company until I presume '78. That his duties were well and satisfactorily performed, is evidenced by the fact of his promotion to the rank of Lieutenant. He was, I presume, a part of the command of Gen. Howe in his expedition against Florida in 1778. For I observe that Major Wise of the Regiment of Rangers was one of the council of war assembled at Fort Tonyn on 11th July, 1778. The tradition is, that he constituted a part of the garrison of Fort Banington, (which I presume to be the same with Fort Howe,) on the Altamaha, which was taken by the British and the garrison released on parole, and that he, Roger McKinnie,

and Capt. Milton of Georgia, were delivered as hostages for the observance of the parole. It was broken, or at least, so said the British.* He and his companions in prison fared badly. Mc-Kinnie who is represented to have been a lively, sprightly man, after their release, used ironically to commend their prison fare, by saying they always had change of diet. "For," said he, "one day we had peas and pork, and the next day pork and peas."

After his release Lieut. Caldwell was principally employed in the scouting parties of whigs in the upper part of the State. No traditional account of the particulars of this service has come to my knowledge. He was once, if not often, chased by Cunningham and his partisans. On that occasion the pursuit commenced at Perkin's ford on Saluda River; and by the time he reached O'Neill's Mills, on Bush River, the bleeding flanks and panting sides of his mare, told too truly that the fate of Cunningham's captives, a cruel death, was close upon his heels. A fresh horse furnished by his old friend and acquaintance, William O'Neill of the Society of Friends, carried him beyond pursuit.

William Caldwell after the war was a most respectable and useful citizen. From 1804 to 1808, he was the Senator from Newberry District in the General Assembly. His second son, William T. Caldwell, in the last war enlisted under the command of the late brave and generous Maj. George Butler, then a Captain in the U. S. army. He soon received a commission, and was killed in the savage butchery of the garrison of Fort Mims on the 30th of August, 1813. His aged parent could not be persuaded of the truth of the report of his death, and afterwards actually made provision for him in his will.

William Caldwell died in 1814.

JAMES CALDWELL, a younger brother of John and William Caldwell, was one of the riflemen thrown forward as sharp-shooters to harrass the enemy on his approach to the Cowpens. They commenced the attack upon Tarleton's columns, two miles in advance of Morgan's line of battle. The country in which they acted, was then an open Chesnut plain: the large trees scattered over it were covers for the riflemen against the fire of the advancing columns; but afforded no protection against the charges of the cavalry, who scoured the woods as the infantry advanced. In one of these charges Caldwell was dislodged, and fighting as long as he was able with the butt of his rifle, he was literally cut to pieces by the broadsword of a dragoon. His life was however saved: his head, face and hands were covered with scars.

After the war he and other whigs attempted to bring Matthew

* He and his companions were for this cause immured in the Castle of St. Augustine for upwards of a year.

Love, one of Cunningham's band, to condign punishment. He was, however, acquitted at '96 before Judge Burke.

The persons who had caused him to be presented, knew that he had participated in the murder of their relatives; they all also knew, that at the massacre at Haye's station, he had after the work of death had ceased, amused himself by passing over the slain and plunging his sword into their bleeding bodies.

The recollection of these facts exasperated them to the highest degree. They determined that although acquitted he should not escape. They placed James Caldwell at their head, marched into the Court House, and in the presence of the Judge, the Sheriff, the Jury, and the crowd of citizens attending the administration of justice, took Love from the Bar and hanged him on a tree! Such an act of outrage upon law cannot be justified; but still the actors had suffered so much from the victim and his fellows, that they stood excused in the eyes of all.

James Caldwell was afterwards a member of the House of Representatives in the General Assembly of this State, from Newberry District. From 1808 to 1812 he was the Sheriff of Newberry. He died in 1813 or 1814.

Major BENJAMIN LONG was, I think, a native of Union District, though long a resident of Newberry. He belonged to the rifle sharp-shooters, who were in advance and commenced the attack upon the approach of the enemy to the Cowpens. His narration of the share which he took in that office, was well vouched by the scars which his face exhibited. He was posted behind a tree, and took fair aim at a dragoon on full charge. The dragoon saw the levelled rifle, heard the click of the lock; and supposing that the fire of the gun had followed, he shrunk apparently from the expected ball. The rifle had snapped, he was unharmed, and the next instant brought him up to Long, who with his rifle "clubbed" had stepped from behind the tree; he struck to knock the dragoon off his horse,—the blow was parried and returned by a sabre-wound above Long's eye,—a back handed blow followed, which took effect below the ear on the neck and face. This prostrated the young rifleman, and as the dragoon charged over his body, his sword was plunged into it. He recovered from these severe wounds, and served afterwards under Breman and Thomas to the close of the Revolution.

He was, about 1804, a Major in the Militia; he was Sheriff of Newberry District from March, 1807 to February, 1808, under a temporary appointment by the Governor. He died at his residence east of, and near the mouth of Little River, in 1816.

General LEVI CASEY was an active partisan officer in the Revolution. I have heard his courage and presence of mind highly commended. On one occasion, riding alone, as he turned an angle

in the road, he discovered a large body of tories in his front. The meeting was wholly unexpected on both sides. Without an instant's hesitation he drew his sword, sprang forward, exclaiming, "come on, boys:" checking his charge, he turned his horse around, and galloped back the way he came, as if to bring on his men. The feint was successful,—the enemy prepared for the expected rencontre, and before they were aware of the deception Casey was in safety.

He was celebrated for his mercy to prisoners. A circumstance illustrative of this came to light during the time he was canvassing for a seat in Congress. His principles had been coarsely assailed by a man of the name of Hogg. Meeting him afterwards at Newberry Court House, he said to him in the midst of their fellow citizens, "These arms, (extending his arms,) covered, and protected you from the swords of my men, when in the Revolution you were found in a suspected place. From you I expected gratitude, not abuse: but I was wrong,—from a hog I ought to expect no more than a grunt."

On the organization of the Militia in '94, he was elected Brigadier General of the Brigade composed by Laurens and Newberry. He was elected more than once to Congress from Abbeville, Laurens and Newberry, and died in Washington while in attendance on Congress in 1807.

The LINDSEY family were all whigs, and were actively engaged in the partisan affairs of the times in Newberry and Laurens Districts.

James, Samuel and Thomas, were three of the men who under Water's command carried off and saved the field-piece at the battle of Stono. Col. John Lindsey was the commander of the scout in which they all served. He was a good officer and a useful, honorable man. Others of the name could not refrain from spoiling the Amalekites, as the tories were sometimes called; and in their great zeal for the service, once and awhile swept through the Quaker settlement on Bush River, and carried off from these pacific people much "plunder." A homely boy of the name, on some of these occasions had participated in the plunder of Daniel Richardson's house, and among other things had carried off a Racoonskin belonging to an idiot, Jake Reagan. On a subsequent visit, Jake was standing in the door; he suffered the company quietly to pass him, until it came to the turn of the spoiler of the Racoonskin; him Jake took by the throat, exclaiming, "stand back,—stand back, ugly boy,—love 'Coon skin too much."

So much for imperfect reminiscences of whig actors. For a while we will turn again to the tories.

A scout met with ABSALOM TURNER; he was young, and had taken no part in the struggles of the times. His only offence was,

that he was the brother of Dick and Ned Turner, two of Cunningham's bloodiest bravoes, and that his mother's house was a rendezvous for the tories. He was killed; his murderers, (for they deserve no other name,) proceeded to his mother's house, and with the wantonness of savages, turned down the sheets of her bed, wiped upon them their bloody swords, and told her it was the blood of her son. These circumstances were soon known to Dick and Ned Turner. Like raging savages, blood—nothing but blood could satisfy them. With their associate, Bill Elmore, they proceeded from Saluda to Indian Creek, and dragged out of their houses and from the sides of their mothers, four whig lads, two Dugans, (brothers of the late Col. Dugan,) Anderson and Todd, and put them to death by the most savage and deliberate use of their swords! They were amidst supplications, cries and entreaties for mercy, literally hewed in pieces. This horrible act of blood was at last revenged upon Elmore. He was killed between Charleston and Newberry by some of the kinsmen of his murdered victims.

Dick and Ned Turner to be further revenged for the death of their brother, found Stokely Towles, an active whig, sick with the small-pox. They dragged him from his place of concealment, and inhumanely butchered him.

Dick Turner was afterwards captured by stratagem in the bend of Saluda near his mother's residence. The commander of the party said to him, "where are your comrades?—tell, or," (presenting a loaded pistol to his breast,) "*I will shoot you!*" "Shoot and be damned," was the reply of the fearless ruffian. It is almost needless to add, that the pistol fired, and Dick Turner bit the dust!

Ned Turner remained in Cunningham's corps throughout the war. After its close, he with others, his associates, were placed under the ban of the State. They were proclaimed by the Governor as outlaws, and a reward offered for each of them, dead or alive. He and they remained for some time concealed on Saluda, Bush and Little Rivers, and under the name of "outliers," were the terror of the honest and industrious.

At length vengeance became too incessant in the chase to give him any rest; he left his old haunts and went to Florida. After the death of his aged and very respectable mother, in 1812, he returned to South Carolina, on a visit to his kindred, and possibly to receive some share of her estate. He was then an aged man.

The sons of Stokely Towles, men of great worth and respectability, hearing that their father's murderer was walking free and unharmed in the scenes of his youthful violence and crime, and burning with the natural desire to have blood for blood, raised a party and surrounded at night the house of his niece where he was then staying. Col. Towles, pistol in hand, took his stand at

the door. Old Ned by some means was aware that he was in the midst of his enemies; his old fires and cunning revived. The instant the door was thrown open he sprang through it. Col. Towles fired, and Ned Turner fell, apparently lifeless, his full length in the yard. The ball had taken effect in the neck. John Towles proposed to shoot "the old rascal" again; but this Col. Towles forbade, saying it was a shame to shoot a dead man. As soon as the party left the place, the lady of the house walked into the yard for the purpose of looking for the body of her slain uncle, (as she supposed him to be,) and as is usual, lamented loudly his fate; her cries were interrupted by her uncle from the corner of the fence into which he had crawled, with the words: "don't be a fool,—bring me my horse,—old Ned *aint* dead yet." His horse was got,—his wound was merely a flesh one. He started for his home immediately, reached it safely, and there died at a great age.

HUBBS, another of Cunningham's men was an "outlier" after the war. In company with Ned Turner and Hall Foster, he proposed to rob a sturdy old man of the habits and talk of a "Friend," but not of the Society. Those who remember Israel Gaunt will recollect that he was a powerful man, of giant frame and indomitable courage. His house and kitchen were like most Quaker buildings under the same roof. His reputation was that he had money, and hence the visit of the "outliers."

At the close of day three men, apparently travellers, rode up and asked for lodging. It was refused. Hubbs rode up close to the kitchen door, in which Mrs. Gaunt was standing, and asked for water. As she turned off to get it, he sprang into the kitchen. Handing him the water, she discovered his arms, and communicated the fact to her husband. The doors were closed and made secure. Hubbs finding himself thus cut off from his companions, drew and presented his pistol at Gaunt. His daughter, she that was afterwards Hannah Mooney, of masculine proportions, and with her father's unflinching courage, threw up the pistol; its contents took effect above their heads; she grappled with Hubbs and threw him on the floor, where she held him, notwithstanding the struggles of desperation, and the use of his spurs on her clothes and person. Her father fired two loaded muskets at his head; both missed fire. At last he "clubbed," and struck him on the head with it until every fragment of the stock vanished, and then with the barrel until it was so bended it could not longer take effect. He lifted from his hearth a stone of fourteen pounds weight, and threw it (as he supposed,) full upon his head. The blood spouted from this collision for four or five feet upwards on the ceiling. At this moment, the party from without, either unable to force the doors, or possibly like all ruffians, "esteeming discretion

the better part of valor," and therefore unwilling to rush upon an armed man through a window, fired and wounded the brave old man, breaking his arm and penetrating his body, and with another ball touching and grazing his heroic daughter just above the eye. Gaunt's wound rendered him powerless, and supposing that the ruffians would force his house and murder him, he thought it best to get out of their reach if possible. He succeeded in getting out of his house unobserved, and by a private way reached his barn and concealed himself.

Hubbs after some time scrambled up to and on a table beneath a window, through which he jumped or fell into the yard on his head. His associates carried him off. He got well, and was some time afterwards hanged in Georgia. Gaunt recovered from his wounds, and often spoke of Hubb's hardness of head with great astonishment. "He had," he said, "a violent hard head,—hard as any ram's head."

Moultrie, another of Cunningham's gang, and also an "out-lier," with Hubbs, Foster and Turner, visited Andrew Lee, who lived at Lee's Ferry, Saluda River. Their purpose as usual was robbery. Lee had, for his protection, provided himself with some powerful dogs, and had armed his negro men.

Moultrie by some means got into the house. Lee seized him, and they fell together in a bed. Lee held him, and called to his wife to knock him on the head with an axe. Her first blow took effect on her husband's hand: his exclamation apprized her that in her hurry she had missed her object: she repeated the blow with more judgment and effect: the poll of the axe was driven into his head, breaking the scull, and Lee always said that a portion of the brains flew out and stuck to the head-board of the bedstead. He threw Moultrie, as he supposed dead, on the floor, sprang to his feet, called his negroes, and with them and his dogs defeated the rest of the marauders, and nearly succeeded in capturing Ned Turner. On his return from this chase he found Moultrie was alive: before day he found it necessary to tie him. He was taken to '96, tried, condemned and hanged. I have heard it said, by one who saw him, that his scull was so fairly broken, that it worked up and down with every breath he drew!

Hall Foster was the beau of the "out-liers." He dared even to court, and to marry his fair companion of the woods, while he was daily running for his life. His career was closed by a long aim and possibly a random ball.

Col. Cleary, it will be recollected, was mentioned as a loyalist in the battle of Musgrove's Mill; at the peace, he returned to his plantation on Saluda, and deporting himself as he really was, as an honest man, *his delusion* was pitied and forgiven. To his house, on account of former acquaintance, Foster some times came.

Isaac Norrell, a whig, had been for some time at Cleary's, sick with fever and ague. Foster knew he was there, and supposing him incapable of harming him, was in the act of riding up to the house to give Norrell "a cursing." Norrell, however, was able on that day to walk about, and was prepared with a good rifle and determined to shoot Foster. Cleary knew the danger which Foster was about to encounter, and he gave him information. He halted his approach at about 150 yards. To shew his recklessness he commenced curveting his horse. Norrell sat down in a corner of the fence, and with a rifleman's rest took a rifleman's aim! The gun fired, and Foster's gallant charger fled without a rider! It was found that the ball had taken effect between the eyes. After a few hours of pain, Hall Foster, Cunningham's favorite sharer of blood and danger, ceased to be numbered among the sons of men.

Jesse Gray, the last of the "outliers," ran many a narrow risk; but with a perfect recklessness of danger, and confidence in the speed and bottom of his horse, he often threw himself in the way of his pursuers, to shew them, in the slang of the day, "a clean pair of heels." Peace and good order at last drove him from his haunts. He went to Nova Scotia, and there, *mirabile dictu*, lived and died an honest man!!!

An anecdote of King's Mountain shall close this jumble of odds and ends. Long Sam. Abney, (many in Edgefield and Newberry will at once remember him,) a whig both in principle and practice, was drafted and forced into Ferguson's Regiment. For it will be remembered, that in 1780 South Carolina was a conquered province, and the British standard floated over its whole limits. A few noble spirits now and then were found, like Marion, Sumter, Pickens, Williams and Taylor, emerging from cover, and striking their enemies a gallant and successful blow. But the great body of the people were forced to submit; they were treated as conquered rebels, and in many an instance compelled to fight for a power which they loathed, and against liberty to which their hearts were devoted. Such was Long Sam Abney's situation. At the commencement of the battle of King's Mountain he stationed himself behind a rock, determined not to fight. He could not and he would not shoot his own friends, was his secret thought and resolution. He was leaning on his rifle when a ball struck his arm in a fleshy part. This made him "a little mad;" still he did not, and he thought he would not fight. Presently, however, he was struck with another ball; this made him "mighty mad," and he afterwards fought with the bravest and boldest of Ferguson's. He was literally, to use a cant country phrase, "riddled" with balls. These perforated his body, and if I remember the tale told to me in my youth, seven balls took effect on his person.

He was left upon the field among the slain, the frost of the

night succeeding the action revived him. He crawled to a branch and slaked his burning thirst. The next day he was found and cared for by some good Samaritan, who took him to his house, bound up his wounds,—and after many days restored him to his friends in health. He lived long afterwards, and merrily used to tell how he was shot, and how he shot again, at King's Mountain.

Reader, my task is ended. If it either amuses or instructs you, I shall be satisfied. My object is, however, still more. I have commenced the fire. May it have the effect which the balls of his friends had upon "Long Sam Abney," and induce others more competent and better informed, to tell the anecdotes of the Revolution, and thus preserve materials for the future historian.

ART THOU A COLD COQUETTE?

ART thou a cold coquette?
I fear me that thou art,
Yet still would hope that thou hast yet
Some *outline* of a heart.

But if thou use thy dangerous power
To *trifle* not to heal,
And wear with every changing hour
A look thou dost not feel;

If thou but *toy* with that strong tide
That struggles in my breast,
And smile to see my stubborn pride
Bend low its haughty crest;—

When thou hast worked thy sportive will,
My soul at length will wake,
For it will have the vigour still
Thy thraldom to forsake;—

The curse shall then on thee recoil,
And thou shalt know the pain
Of passion's long and weary toil,
It's blinding tears like rain;

Long watchings then shall wring thy brow,
Till the sad stars grow pale;
Thy trembling form in anguish bow,
Thy faltering accents fail.

And Time that heals all else,—to thee
 Shall bring no succour nigh;
 Thou'l live—a moving misery,
 And unregarded die.

But if those lips no words shall breathe,
 Save those thou mean'st to keep,—
 The quiet hours their arms shall wreath
 To circle thee in sleep;

And when thou wak'st, new light shall beam
 Upon thy tranced eyes,
 The world shall be like love's young dream,
 The skies seem fairer skies.

Thy path shall ever onward be,
 By faith and hope upborne;
 And life shall have no pangs for thee,
 Thy roses wear no thorn.

May 1, 1838.

A NATIONAL BANK AND THE CURRENCY.*

BY JAMES SMITH RHETT, ESQ.

WE have ventured in the following pages, to offer to our readers the investigation of a subject, which, however abstract and therefore uninteresting it may appear to some, is yet of such vital importance to the whole community, that we trust we will be more than pardoned in our efforts to enliven and direct public attention into, what seems to us, the right channel. To this, public attention must be directed long and intensely, before the vital principles can be so unfolded as to reach the popular mind in any thing like a definite form; and whoever can present a new view or illustrate an old one, so as to increase the information of the people, will not have been unserviceable to the country. Under the influence of these feelings and motives we write, being confident, that in developing to our readers the operations of "The Bank of England," the subject of the pamphlet before us, we may not only afford some insight into the principles of Banking generally, so tho-

* Further Reflections on the State of the Currency and the Action of the Bank of England. By Samuel Jones Loyd, Esq. London.—1837.

roughly investigated and made use of in the conduct of this institution, but also touch upon one of the great moving causes of our own commercial distresses.

We are so intimately connected with Great Britain in our commercial relations, that whatever seriously affects her currency cannot but be seriously felt by us; and, in many instances, the tracing out the elements of her fluctuations is touching upon our own. And this was more especially the case in our recent disasters, for however the imprudence and fever of over active speculation may have laid us open to them, it is scarcely disputed at this day, that the immediate moving cause of the late revulsions was the Bank of England. Whilst the pamphlet before us is devoted to an investigation of the conduct of that establishment and the scope of its action,—its more direct object is to prove that the Bank of England as now constituted, is not a fit regulator of the currency; and that no bank is able to perform that public duty, which carries on at the same time general banking operations. That to approach the character of a proper regulator, it must entirely abandon the chief source of profit to banks,—the negotiation of mercantile paper, and confine itself merely to the business of issuing or contracting the paper circulation, so as to keep the currency in that state of supply in proportion to the trade, in which it would have been had it been altogether metallic.

This is the broad principle which Mr. Loyd labors to establish, that a bank to be a fit agent for the regulation of the currency, must abandon altogether the discount of mercantile paper, and of course relinquish altogether the common sources of profit to the stockholders, for which banks are incorporated. It must, in fact, cease to be a bank, in the mercantile understanding of the term, and must regulate its issues not with a view to the profit of the stockholders, but solely with a view to the state of the currency; must contract its issues when this is redundant, and must expand when it is too limited, without any regard to mercantile accommodation, nor in reference to the condition of the trade, except as the exchanges indicate the condition of the currency; and must bend its whole attention to this paramount object,—that the paper currency shall be made to circulate precisely in the manner and form, (as far as practicable,) that it would have circulated, had it been altogether metallic. This, he thinks, is the only method by which a national bank can be of use to the currency. If it guides its action by any other rule, it is not only ineffectual as a proper regulator, but is productive of positive evil, by causing frequently without the possibility of preventing them, those very panics and revulsions, which as a manager of the currency it is bound to prevent. As the Bank of England is now constituted, he thinks, and we agree with him, that it cannot regulate the currency, and can

only become a proper regulator of it by abandoning altogether its commercial transactions,—leaving the merchants and private companies to their paper operations of discount and exchange, and simply watching the fluctuations of the monetary system of the empire.

With such a bank, (if bank it can be called,) profit, the gain of the stockholders, must be but a secondary consideration, subordinate entirely to the regulation of the currency the keeping it in a state of equilibrium. Now, we think it very possible, that such a bank might be constituted and its operations prove beneficial; but it seems to us obvious, that the Government alone must be the stockholder,—private stockholders would never consent that their sources of profit, at least the most abundant of them, should be abandoned in order that the currency should be properly balanced; they would not consent to sacrifice their personal gain for the public good. Neither could it be expected. The government alone can afford to rest satisfied with small dividends that the people may reap the benefit; and as it is a duty which appertains to the people alone,—the Government as their agent must look to it, should such an institution ever be established.

Mr. Loyd demonstrates, we think, conclusively, that the Bank of England as now constituted, is not and cannot be a regulator of the currency,—in fact, that involved as it is in commercial relations and operations, it has even lost the power of becoming so. The currency is beyond its control.

This is a very important question—Is it in fact so? Is it true, that the Bank of England, as a commercial bank, is unfit by the very principles of its present organization, for such a purpose? That this great prototype of all the currency regulators and quacks, has proved in fact, so far as this object is concerned, a total failure?—And yet, if Mr. Loyd's data are correct, we do not see how we can avoid the conclusion. Mr. Loyd lays it down as the true rule which is now admitted on all hands to be correct, that an institution which professes to protect the currency should use its first and greatest efforts, “that the paper circulation should be made to fluctuate precisely in the same manner, as far as possible, as the metallic circulation would have fluctuated did that of paper not exist.” He then proceeds to investigate how far the Bank of England has observed this rule. He first takes a general view of what was the condition of the bank and the currency immediately previous to the late revulsion:

“In February, 1837, the circumstances in which the commercial world was then placed were of the most peculiar and critical kind; we had arrived at the termination of a prolonged period of prosperity; the excitement and the confidence attending it had reached their utmost point; the symptoms of an approaching collapse were obvious; all parties saw them; all

were conscious of their unequivocal character, and a general course of preparation for the approaching change, checked only by occasional dalliance with vague and unsubstantial hopes, had commenced. All traders had become desirous of lessening their stocks on hand, and of contracting their engagements; the country issuers had begun effectually to resist their accommodation; and all other dealers in money were necessarily compelled to follow in the same course.

"The natural effect of this was a general diminution of confidence; and a state of embarrassment more or less intense on the part of all concerns which were essentially in an unsound state, or whose operations during the late excitement had been unduly expanded.

"The situation of the Bank of England at this period was critical and difficult in the highest degree. The first indication of the approaching crisis, not perhaps at the time sufficiently attended to, had been a change in the state of the exchanges; a heavy drain upon the gold of the Bank had taken place; her treasure had suffered a continuous and alarming diminution; and the urgent necessity on that account of a corresponding contraction of her issues was very generally acknowledged. But to effect this was found impracticable;—the demands for assistance to concerns brought into a state of temporary embarrassment; the calls of commerce for support during a period of pressure; the necessity of preventing, if possible, any convulsion amongst the country issuers, lest the alarm thus produced should cause an internal drain upon the treasure of the Bank simultaneously with the external drain, through the exchanges, under which she was already suffering;—these considerations, deriving additional weight from the concurrence and sympathy which they met with on the part of a large portion of the public, proved to be irresistible; and the consequence was that at the period in question the Bank, in rendering her account to the public, appeared in this anomalous and alarming condition:—Her treasure reduced to an unusually low amount, whilst her circulation was undiminished;—The aggregate amount of securities held by her unusually high, whilst it was notorious that the most realisable class of those securities had been parted with, and that, in lieu of them, in her efforts to meet the demands above alluded to, she had loaded herself with securities of a very different character.

"This was the state in which matters stood about the commencement of 1837. It was generally felt by the public to be one calculated to give rise to much anxiety and apprehension, and to the writer it certainly appeared to be undeniable that the currency of the country was at that time in an unsafe condition; and that the Bank of England was in a position in which, as manager of the currency, she ought never to be placed."

Mr. Loyd then gives a short sketch of what was the present condition (Dec. 1837) of commerce, in these words:

"Since the beginning of 1837, the circle of commercial progress in which we were then far advanced has been completed—the apprehended convulsion has taken place—embarrassment and insolvency to a considerable extent have occurred—former excitement has been succeeded by present prostration—prices have fallen—all trading transactions have been ma-

terially contracted—and we are now in a state of calm quiescence,—conscious of our present security, but too much occupied in repairing the injuries which we have sustained, and too strongly impressed with the vivid remembrance of the dangers we have so recently escaped, to allow as yet our present sense of safety to engender new projects of enterprise and speculation."

After some further reasoning as to the condition at that time of the bank, he enquires, what is at this time (Dec. 1837) the real state of the bank and proceeds, thus:

"That we may be enabled to take a complete view of the action of the Bank upon the amount of the currency during the period both of a favourable and an unfavourable state of the exchanges, a table of her monthly returns, from June 1836 to to the present time, is here given:

BANK OF ENGLAND.

1836.	Circulation.	Deposit.	Bullion.	Securities.
	£	£	£	£
June 28.....	17,899,000	13,810,000	7,362,000	27,153,000
July 26.....	17,940,000	14,495,000	6,926,000	28,315,000
August 23.....	18,061,000	14,796,000	6,325,000	29,345,000
September 20.....	18,147,000	14,118,000	5,719,000	29,406,000
October 18.....	17,936,000	13,324,000	5,257,000	28,845,000
November 15.....	17,543,000	12,682,000	4,933,000	28,134,000
December 13.....	17,361,000	13,330,000	4,545,000	28,971,000
1837.				
January 10.....	17,422,000	14,354,000	4,287,000	30,365,000
February 7.....	17,868,000	14,230,000	4,032,000	31,085,000
March 7.....	18,178,000	13,260,000	4,048,000	30,579,000
April 4.....	18,432,000	11,192,000	4,071,000	28,843,000
May 2.....	18,480,000	10,472,000	4,190,000	28,017,000
May 30.....	18,419,000	10,422,000	4,423,000	27,572,000
June 27.....	18,202,000	10,424,000	4,750,000	26,932,000
July 25.....	18,261,000	10,672,000	5,226,000	26,727,000
August 22.....	18,462,000	11,005,000	5,754,000	26,717,000
September 19.....	18,814,000	11,093,000	6,303,000	26,605,000
October 17.....	18,716,000	10,501,000	6,856,000	25,316,000
November 14.....	18,344,000	10,242,000	7,432,000	23,985,000
December 14.....	17,998,000	10,195,000	8,172,000	22,727,000

"Upon casting the eye over this table there are two considerations which cannot fail to arrest our attention.

"1. The principle upon which the Bank proposed to guide its proceedings in the management of the currency was that of keeping the amount of its securities fixed; and the present periodical publication of its accounts in the Gazette was adopted principally for the purpose of enabling the public to understand its proceedings, and to satisfy themselves that they are conducted in obedience to the rules laid down. By these accounts, however, it appears that the securities, instead of being kept at a fixed amount, have fluctuated to a very great extent. Either, then, the Bank has failed to adhere to its own rule, or the accounts as published are wholly insufficient to afford the public a just view of its action.

"The apparent fluctuation in the amount of securities during the year 1836 was explained by a reference to some peculiar and unusual transactions, which, it was contended, ought to be struck out of the account, and

this being done, the amount of securities, it was said, would approach to steadiness. Is any similar explanation to be afforded of the present remarkable diminution in the amount of the securities? If so, of what value is the published column of the securities for the information or satisfaction of the public? If not, the rule laid down by the Bank for its own guidance is obviously abandoned.

"Which of these suppositions is the correct one can be decided positively by those only who have means of access to other accounts of the Bank than these which are submitted to the public. But there are grounds upon which, though it may be presumptuous to decide, we may still surmise with some confidence that the fluctuation in question is not altogether the effect of a peculiar and distinct transaction, but that it arises out of the ordinary action of the Bank upon the currency.

"In the first place, it is to be observed that the increase in the amount of securities took place concomitantly with an equally remarkable diminution of the amount of bullion, and during a period when commercial pressure and embarrassment was gradually approaching after a state of high commercial excitement; and that the amount of securities was at the maximum at the very moment when the amount of bullion was at the minimum. (See the table for the year 1836.) On the other hand, we find the securities regularly diminishing as the bullion as regularly increases until we come to the converse of the former state, and find the highest amount of bullion and lowest amount of securities coincident in point of time. This latter process, too, has been going on principally during the gradual removal of commercial pressure and the return to quiescence.

"In the second place, we see, by the table, that the diminution of securities during 1837, though rapid and large, has been regular and equable in its progress, thus exhibiting the strongest presumptive evidence that it is an effect proceeding from some cause which has been in continuous and uninterrupted action.

"And in the third place, we know that an important portion of the securities held by the Bank during the year 1836 consisted of those which she received in her various efforts to support public credit—such as increased extent of discounts, aid rendered to concerns tottering under the pressure of overgrown transactions, and means provided to enable others actually in a state of suspension to discharge at once their debts to the public. It is hardly possible to doubt that during the year 1837 the advances of the Bank of this nature have been in a course of repayment, and must at this moment be very much less than they were twelve months since.

"These considerations would lead us to conclude, without much hesitation, that the great diminution in the amount of securities held by the Bank is the inevitable result of her banking operations during the period of tranquility which succeeds a commercial convulsion.

"But it is not necessary to dwell longer on this branch of the subject. Steadiness in the amount of the securities has been held out as a guiding principle with the Bank. 'The Bank holds a fixed amount of securities, notwithstanding the altered amount of deposits, except in particular and extraordinary circumstances,' (Palmer's Reply, p. 7,) and it was therefore

impossible not to remark upon the discrepancy between this rule and the column of securities in the annexed table. We are not, however, ourselves disposed to lay too much stress upon this rule, inasmuch as we conceive that steadiness in the amount of the securities is a principle applicable to the management of currency only, and wholly inapplicable to the conduct of banking operations in any form. When it is applied to the combined operations of the Bank in her double capacity, we conceive that it is impracticable, and the published accounts seem to verify this opinion.

"2. We will, therefore, pass on to the next and far more important consideration to which an examination of the foregoing table will necessarily draw our attention; that of the relation between the fluctuations in the amount of circulation and those in the amount of bullion.

"It will be observed that during the year 1837 the amount of bullion has been steadily increasing, being at the end of the year double the amount at which it stood at the beginning of it. Now it is clear, that had the circulation been metallic, it would, during this time, have increased to the extent to which the bullion in the Bank has been augmented, *i. e.* nearly four millions, and, consequently, if the paper circulation be made to vary as a metallic circulation would have varied, it will during this time have undergone an increase of nearly four millions. But upon turning to the column of Circulation, we find that it stands now at nearly the same amount at which it stood when the bullion was at the lowest point; and that it has actually undergone a large reduction during the last three months concomitantly with a large increase of bullion.

"But the Bank laid down other rules than this for its guidance, and it has been contended that the Legislature and the public gave an implied acquiescence in those rules. Let us, then, try the proceedings of the Bank by them.

"One of these was steadiness in the amount of the securities, upon which we have already made all the remarks which it seems to require.

"The other rule was, that the fluctuations in the amount of bullion should be met by a corresponding fluctuation in the aggregate amount of circulation and deposits. Against the soundness of this rule we urged, on a former occasion, what appeared to us to be conclusive objections; but if the conduct of the Bank during the past year be tried by this test, the condemnation of it will even be more conclusive than when tried by the rule for which we have contended.

"In March, 1837, it was maintained in Mr. Palmer's Reply, (p. 7,) 'that the Bank has acted up to the principle declared in the year 1832, before the Committee upon the Bank Charter;' that principle being that the joint liabilities of notes and deposits were to vary as the amount of bullion. Let us, therefore, compare the account rendered by the Bank at that time with the account last published by her.

March 7.

Circulation - - - -	£18,178,000	Bullion - - - -	£4,048,000
Deposits - - - -	13,260,000		
Joint Liabilities - - -	£31,438,000		

December 14.

Circulation - - - - -	£17,998,000	Bullion - - - - -	£8,172,000
Deposits - - - - -	10,196,000		
	<hr/>		<hr/>
	£28,194,000		
	<hr/>		<hr/>

"By this statement it appears that the bullion has increased £4,124,000, whilst during the same period the joint liabilities have diminished, not increased, £3,244,000. Therefore it is clear that the joint liabilities have not varied as the bullion has varied, and consequently the rule laid down by the Bank has not been observed.

"It is equally clear by the table that the circulation has not varied as the bullion, and therefore the rule contended for by us has not been observed.

"Let us now contrast the amount of securities at these two periods:

March 7,	Securities - - - - -	£30,579,000
December 14,	Ditto, - - - - -	22,727,000
	<hr/>	<hr/>
	Decrease of Securities - -	£7,852,000
	<hr/>	<hr/>

"Here we find a very large diminution in the amount of securities; what amount the Bank will contend ought to be struck out of the account as arising out of deposits of an unusual and extraordinary character, it is impossible for us to say; but it is hardly possible to believe that so great a difference in the amount of securities can be satisfactorily explained on such grounds.

"To enable us, moreover, to come to a correct estimate of our actual situation at the present moment, it is necessary to remark that the statements here commented upon merely show the average condition of the Bank during the three preceding months; and there is good reason to apprehend that the discrepancies apparent upon the average statement given to the public would be found to be still more wide and striking, if we had before us an account of the bullion, circulation, &c., as they now actually stand. Indeed it is in the very nature of an average statement that it does not show the extreme points either of elevation or depression, but only the mean point attained during the three months for which the average is calculated. We may therefore conclude almost without the possibility of error, that the circulation and the securities, which have been in a course of diminution during the last three months, are at this moment much below the amount given in the last average return; and that the bullion is much higher than it appears to be by the same statement. Upon the same principle we may take it for certain that the actual amount of bullion at the beginning of the year, when by the average return it appears at the minimum, was in fact much lower than that statement shows, and the securities at the same period much higher. A due attention to these considerations is necessary to enable us to form a correct estimate of the full extent to which the fluctuations under discussion have really gone; though it is dif-

ficult to believe that there is not some great error in statements which lead to conclusions so extraordinary.

"The Bank holds out to the public, as the best practicable security for the due management of the currency, steadiness in the amount of the securities held by it, and a variation in the aggregate amount of circulation and deposits corresponding with the variation in the amount of bullion.

"A strict adherence to sound principle requires a variation in the amount of circulation alone corresponding to the variation in the amount of bullion.

"For the purpose of satisfying the public that those rules are sufficiently attended to, the Bank is required to make a periodical publication of her accounts; and by these it appears, that during the last year the securities have diminished from thirty-one millions to less than twenty-three millions; the aggregate of circulation and deposits shews a decrease of nearly four millions; whilst in the same period the bullion has risen from four millions to eight millions.

"In the face of these facts, is it not idle to talk of rules, or to refer to tables of published accounts, for our satisfaction? It must surely be admitted that the regulation of the currency is in no degree subject to the stern restraint of principle; and, indeed, we cannot well avoid the conclusion that the power of controlling it has passed out of the hands of the Bank."

Mr. Loyd then comes to what he considers the true cause of all these difficulties,—and we would earnestly call the attention of our fellow-citizens to it. These are his words:

"The difficulty in which the Bank is now placed as Manager of the Currency, and the present improper state of the circulation, we believe to arise principally from the unfortunate union in the same body of banking functions and the management of the circulation; and we further fear that the most formidable impediment to the adoption, in the present emergency, of proper measures by the Bank, arises from erroneous views and unreasonable expectations on the part of a large portion of the public.

"It will be remembered that during the year 1836 the Bank was urgently called upon to support public credit, and in consideration of her position as a great Bank of Deposit and Discount, and of the strong tone of public expectation on the subject, it was deemed by those who managed her affairs that this call could not be refused. Hence arose an increase of her circulation whilst her bullion was rapidly diminishing, and an exchange of convertible securities for others which were of a different description. As Manager of the Circulation this was an unwarrantable transaction on her part; it placed her, both as regarded the amount of her circulation and the nature of her securities, in an improper position—it was necessitated by her character of a Bank of Deposit and Discount.

"But the evil did not terminate here. In the following year (1837,) after the convulsion had taken place, the position of the Bank and her duties as Manager of the Currency became altered, the exchanges turned in our favour, and the bullion in the Bank began steadily to increase. Against this increased amount of bullion there ought of course to be issued a corresponding amount of notes; and this would necessarily take place did the

Bank act solely in her capacity of Manager of the Currency. But the very circumstances which turned the exchanges and thus increased the bullion have tended also to relieve those concerns which in the previous year were obliged to resort to the Bank for support, and the securities taken from them now come into a course of rapid discharge. To this the Bank cannot object, and the consequence is that her securities are inevitably reduced at a time when circumstances render it peculiarly requisite that their amount should be kept up; and the increase of her circulation effected by the issue of notes against the bullion brought in to her is more than compensated by the payments made to her in redemption of the securities in question. Hence a diminishing amount of circulation with an increasing amount of bullion, and all the recognized rules for the management of the currency unavoidably violated.

"Such are the consequences of uniting the functions of Banking with the management of the Currency; the steady and unbending course which ought to be pursued with respect to the latter is necessarily interrupted by any connexion with the former. It compels an increase of the circulation and a change from convertible to inconvertible securities at a time when the state of the exchanges requires a diminution of the circulation, and renders it expedient that the Manager of the Currency should have all its resources at its free disposal. And again, when the altered state of the exchanges requires and naturally tends to bring about an increase of the circulation, it thwarts that tendency, renders it impracticable to maintain the proper amount of circulation, and thus brings the Bank and the circulation into their present anomalous and unsatisfactory position.

"The proper remedy for the existing difficulty would be a determined action on the part of the Bank for the purpose of keeping up the amount of its securities, and making the circulation vary at least in some proportion relative to the increase of bullion. Was the Bank limited to the duty of managing the currency, or was that business kept totally distinct and separate from her other functions, it seems hardly possible to doubt that some such measure would ere this have been resorted to. But in her banking capacity she is subjected to the strong action of opinion on the part of that portion of the public which is engaged in trading and mercantile operations. By this influence she was compelled, as we have seen, to increase her issues at an improper moment, and from the apprehension of the same influence she is now deterred from effecting that increase which a regard to sound principle would require.

"Had she refused the aid required from her in 1836, we are well aware of the severe censure with which she would have been visited by a large portion of the trading community; and had she at the present moment done that which a proper regard to principle requires from her, we are equally aware of the opposite attacks to which she would be exposed. A desire to augment her private profits at the sacrifice of the public interests, and a disposition to foster speculation by augmenting an already redundant currency; an attempt to raise the price of public securities, and to drive capital out of the country by lowering the value of money, already too cheap. These and other imputations of a similar nature would be freely levelled

against her; and it is another unfortunate consequence resulting from the union of her banking with her monetary functions, that it both gives to the imputations a degree of plausibility which they would not otherwise possess, and also renders the Bank more susceptible of their influence."

Now if these things be true, and truly we cannot see how Mr. Loyd can be refuted, what becomes of the arguments of those who insist that a national bank is demanded by the state of our currency in this country? Here it is demonstrated by one of the first financiers in Great Britain, perhaps in the world, that the most powerful and efficient bank in the world—a bank peculiarly charged with the care of the currency of a mighty empire, and invested with powers for that purpose far beyond what any partisan of banks would think of requiring for the same purpose amongst us,—is yet as a regulator of the currency a total failure—its very commercial constitution rendering it not only utterly incompetent to the end, but frequently the cause and promoter of those very fluctuations it was intended to prevent. And never can it be otherwise so long as the bank continues those transactions, which we have been always taught to believe peculiar to the business of banks. In short, to make her a regulator and not a disturber of the currency, she must cease to be a bank according to the present popular acceptance of that term. As an engine of power, as an instrument which the Government can wield with efficiency either for or against the people, it still remains in all its strength. Nay, further, as a political engine of party or commercial instrument of speculation which may at times make both people and rulers bend to its dictation, (and this the Government of England has felt more than once,) it still wields a wonderful power. But what is this to the public good? How are the people benefitted, because they are ruled through their purses? How are their interests consulted, by linking such an instrument of rule to the Government as will invest it not only with more power than they ever intended to confer on any set of men, but in all human probability more than on trial of strength they will ever be able to resist? If a bank be not efficient as a regulator of the currency, the only purpose for which one is desired even by its warmest advocates, is taken away, whilst all its evil tendencies, its inordinate strength, its corrupt influences, its power of dictating to and enslaving the Government itself, or leagued with that Government of subjecting the people to its rule, remain in full force. The establishment of such a bank as would, according to Mr. Loyd's notion, be a proper regulator, would, properly speaking in a mercantile sense, be no bank at all;—or if still called a bank, stripped of its ability to do harm. It is very possible that some such system could be established without too much power and yet fit to regulate our monetary concerns. This is nevertheless as yet but a theory. It one day may be reduced to prac-

tical form. We, however, regard the fact established beyond controversy, that so far as experience has yet been had on the subject of banking,—a national bank, as we now understand the term, *is not, nor from its very constitution can it be a proper regulator of the currency*,—but is rather, in most instances, a disturber of it.

This is important for the people of the United States to know, if it be true,—that it is true we have for ourselves not a doubt. It is important for them to know it in time, ere when it be too late to retrace their steps, they find themselves involved in inextricable connection with one, when reaping none of the benefit proposed in its establishment, they will be ever after subject to its influence, its corruption and its dictation.

Mr. Loyd next reviews the objections of those who favor the Bank of England, and answers them by earnestly requesting those who entertain such objections, to direct their serious attention and enquiries to the following points:

"1. In a metallic currency, and where the law permits a free transport of the precious metals, the intrinsic value of the coin will of itself preserve the circulation at its proper amount: if it be too large proportionally to the circulation of other countries, a portion of the coin will pass through the exchanges abroad; if it be too small, the operation will be reversed; and thus in every transaction where commodities are exchanged for circulation, *i. e.* in every case of purchase or sale, an equivalent value is sure to be received.

"2. In the case of a paper currency an attempt is made from considerations of convenience and economy to substitute paper notes in the place of metallic coins. In making this exchange we adopt a circulating medium which has no intrinsic value, and we therefore lose that self-acting security which we had with a metallic circulation, for the due regulation of its amount and the maintenance of its value. It therefore becomes necessary that we should resort to some artificial system or rule, which shall secure with respect to a paper currency that regulation of its amount which in a metallic currency necessarily results from its intrinsic value.

"3. Now a paper currency is nothing more than the substitution of paper notes in the place of what would otherwise be metallic coin, and the rule for the regulation of it seems to be very obvious, *viz.* that the paper notes ought to be kept the same in amount as the metallic coin would have been.

"The amount of the import or the export of the precious metals is a pretty sure measure of what would have been the increase or decrease of the amount of a metallic currency.

"Hence arises the obvious and unquestionable rule for the regulation of a paper currency, *viz.* that it should vary as a metallic circulation would have varied; and the sure mode to accomplish this is to make the amount of notes out fluctuate in strict accordance with the import or export of the precious metals; or, in the technical language of our present system, to make the circulation vary directly as the bullion.

"4. Now all the objections above stated, and which we are now endeavouring to examine, rest upon the principle of wholly setting aside this rule; and if their validity be admitted, and the management of the circulation be influenced by them, the consequence will be that the paper currency will not vary in amount, and therefore will not maintain the same value as the metallic currency for which it is intended to be merely a substitute.

"5. But further than this—the amount of the paper currency upon the supposition now contemplated will be subjected to no fixed, definite, and understood rule whatever; it will be left to vary according to the supposed wants of commerce; and the nature of these wants and the extent to which they are to be met by a variation in the circulation, must be measured by individuals who will be left without rule or principle for their guidance, and who must therefore act under the influence of vague, accidental, and capricious impressions.

"6. Let us here pause for a moment to reflect upon the consequence of leaving the circulating medium of a great country in this uncertain and lawless state.

"In adopting a paper circulation we must unavoidably depend for a maintenance of its due value upon the adoption of a strict and judicious rule for the regulation of its amount. Upon such maintenance of its value depends the price of all commodities; the relative situation of the debtor and creditor classes of the community. Every fluctuation in its amount directly affects the operations of trade, and may either tend to foster dangerous speculation or to cramp the energies of rising industry. Is it a matter of little moment to allow a machine of such mighty power to be released from the control of a principle acting constantly, certainly, and irresistibly? Is it wise or safe to leave its fearful oscillations to be regulated by the discretion of any individuals uncontrolled by fixed rule, and not made responsible for adherence to any recognised principle? What would be the condition of the material world were the great principles by which order is preserved amidst apparent irregularities to be suspended? At present we see the waves of the ocean swelling into fearful magnitude, and that vast body apparently preparing to break its bounds; but we know that an immutable law of nature has imposed certain limits to its action, and that its power of destruction is limited by a law which it cannot transgress. Let that law, however, be suspended; release the mighty monster for an hour from the influence by which its level is preserved, and the destruction of a world will be the immediate consequence. The case under consideration is analogous to this. Fluctuations in a paper currency must, under the best system of regulation, occur to some extent, and be productive of occasional inconvenience; but so long as the true principle of currency is maintained, we know that these fluctuations and their consequences are confined within certain and measured limits. The oscillations may for a period be even violent and mischievous; but we know that they have their appointed bounds, and are subjected to a law which must ere long restore us to an equable and tranquil condition. But let that law be suspended; leave the currency at liberty not merely to swell and roll on the surface, but wholly to break loose from the law which fixes its level, and what will be the consequence?

Confusion in all the transactions between man and man; prices violently disturbed; the mutual condition of different classes unjustly altered, and all the operations of trade subjected to convulsive agitations. And when this has once taken place, what will not be the difficulty of recovering our steps and retracing our path out of the pit into which we have descended? To restore the ocean to its deserted bounds, and again subject its fluctuations to a determinate law, will require the fiat of Almighty Power.

"Such are the consequences of yielding to mistaken views of present expediency, and abandoning for their sake the only true principle of currency."

Mr. Loyd closes his valuable pamphlet by coming to the following two most important conclusions:

"First. That the management of a paper-currency ought to be entrusted to one body only, invested with full power, and made exclusively responsible for the regulation of its amount.

"Secondly. That such body ought *to be restricted to the discharge of that one duty and not unite with it any other functions.*"

With ordinary banking operations of any kind, he considers it as utterly incompatible; and it is obvious, as we have said, that strip such an institution of all such functions, and it could not, according to our present commercial sense of the term, be a bank, though the name should be given it.

We have performed the task proposed by laying before our readers the substance of this important pamphlet. Our intention was rather to make them acquainted with Mr. Loyd's sentiments than our own. This is the second pamphlet he has written on the subject, and there is every reason to believe that his suggestions have sunk deeply into the English mind. But conditioned as the people of England are, their bank in league with and the great creditor of the Government, it is to be feared that they will be able to rid themselves of the incubus, however injurious to their interests he may demonstrate it to be. Its power is too fixed to be shaken. It remains for the people of our own country to determine whether, under all the circumstances and with such light before them, they will permit themselves to be yoked to one.

THE CONSCRIPT.

The anecdote which follows, is stated to have been of real occurrence. I do not know that it has ever been in print,—certainly, never in its present form. It is decidedly characteristic of "The Great Nation," and has all the air of verisimilitude. The French idea of the Roman is as clearly conveyed in the single incident which ends the narrative, as in any thing in their *classique* drama:

THE battle of Preuss-Eylau, commonly called that of Eylau, was probably one of the most perilous in which Napoleon ever was engaged. His star paled for a time in the bleak atmosphere of Russia; and—that excepted in which his power was annihilated forever,—there was not one of all his thousand fights which he himself contemplated with greater doubt and apprehension. On the 7th February, 1807, the battle was maintained throughout the day, the object being the possession of the town. In this the French succeeded, and night came on leaving them in its undisturbed possession. But their victory was, perhaps, more remote than ever. The strife was not thus ended. It was renewed the next day with increased fury, and with various success. The Russians fought not merely with stubborn tenacity, but with hungry desperation. They combined the attribute of the wolf with that of the bull-dog. Still, they seemed for a while to fight in vain, and must have been defeated but for the timely appearance of L'Estocq with his Prussian division, who arrived in the very crisis of the action. This trusty warrior restored the battle, redeemed the lost ground, and drove back the troops of Davoust and Bernadotte, who, to this hour, had been carrying every thing before them. The day of blood found a fitting termination in the storming of the village of Schloditton, then in possession of Ney; and with this catastrophe the battle ended. Fifty-thousand men perished in the affair, and the greater loss fell upon Napoleon. His genius for the moment seemed to quail beneath it,—his resources seemed paralyzed. He returned to the heights from which he had descended, having gained none of the objects at which he aimed; and though he laid claim to the victory because he was left in possession of the field, yet in his heart he felt, and indeed the fact was obvious to all, that another such victory, as in the case of Pyrrhus, would leave him utterly undone. He had lost,—an unusual event and coupled with no small discredit—no less than twelve Imperial Eagles in the battle. He was powerless to assail or even to harrass the slowly retiring troops of the enemy; and his proposition for an armistice, and his remaining in inactivity for eight days after the fight, upon the spot where it left him,

were fairly construed into an acknowledgment of its loss. That his enemy was in no condition to take advantage of it, did not impair the fact that it was such, though it might diminish its value.

The peril in which Napoleon stood left him only one resource. He summoned together to one head the scattered commands of his army, and demanded a new conscription from *La Jeune France*. It was no longer in his power, as upon former occasions, to choose his warriors from the sinewed men of the nation. He could no longer object to the employment of "boys, who merely crowd the hospitals." One fruit of his victories was the exhaustion of the *physique* of France. Boys only could be had. The veterans of Italy were manuring an hundred battle fields, which, yielding their leader glory, had yielded them but graves. The new conscription which Buonaparte demanded, and which was readily granted by the Senate, drew heavily accordingly upon the tender youth of the nation. The light-hearted boys themselves were overjoyed, it is true;—with enthusiastic dreams of valour and valorous action—with a thousand fanciful hopes in perspective—they had neither fear nor thought of danger. They had been taught to watch the bright star of the man of destiny, as one, moving under which was to ensure the follower inevitable success and those proud honors which his policy had made to crown and follow it. With eyes regardful only of the glories and the spoils of victory, they had no thought of the carnage,—they had never looked, even in thought, upon the thousand fields which had been made bloody to procure them. With glad shouts they buckled on the knapsack, and slinging the fusil, took a hurried parting with their weeping mothers. Poor boys! they wondered why their mothers wept at such good fortune. But, by this time, even French mothers and French fathers too, had learned to weep at every national triumph. Well might they look with apprehension amounting to despair at the departing forms of their gallant children.

The issue of the billet for conscription struck a panic into many hearts in the quiet little village of _____. It had lost thirty of its youth in previous campaigns. It had sent them forth and had seen none of them return. The summons demanded ten more from the little community. Its reception was tears and lamentations. But the thoughtless boys themselves, were delighted with hopes of glory to be won in this foreign war. They shouted with enthusiasm, and their young bosoms panted for the martial raptures of the field. There was one, alone, among their number, who felt no such ardor as inspired them,—one who shrunk in horror from what seemed the universal sentiment among his fellows. Yet was Jules Delmontin not less brave than any of his

countrymen,—not less earnest for fame,—not less proud of the military achievements which had given to France a distinction so high in the opinions of the world. Far from it. He had ever been among the boldest of his comrades. None could pass upon him the imputation of fear. None had ever seen him shrink from conflict or turn his face from the front of danger. Well might they wonder to behold his hesitation as he offered himself for the dreadful suffrage. They knew not what to make of his silence while the rest shouted aloud: and when they saw his pale cheeks and quivering lips, their wonder became dumb,—they knew not what to think.

It was a stronger feeling than fear that operated upon the mind of Jules Delmontin; and with affections less acute, the “pomp and circumstance of glorious war,” which the conscription promised, would have inspired him with raptures not less loud than theirs, and possibly, far more fervent. But Jules was an only child; and his venerable parents, who were both very old and very poor, relied upon his daily labor for their means of daily life. His father was very feeble and utterly incapable of any toils. His mother, equally feeble, depended upon her son Jules for something more than her daily bread. From him she demanded, beside, the heart sustenance, the constant love, the hourly neighborhood, which seemed far more essential to her maternal bosom than any other food. The decree of the Senate struck terror to their souls. But they had hope. Who is without it? They relied, as the poor and destitute ever must rely, upon the special providence which can alone save them from the operation of those chances to which their son was now liable.

“God will help us, Jules,—the blessed Virgin will look with pity upon your mother, and spare to her the son of her affections—the only light of her old eyes.”

Such were the flattering hopes of the aged dame as her son went forth from the cottage to await his fortune. The old man said nothing, but he turned his face to the wall and seemed communing with his own miserable thoughts.

The prayers of the miserable parents were offered up in vain. Fate, which sometimes appears to take a malicious pleasure in defeating the wishes of the wise and virtuous, baffled theirs. The lot fell upon Jules Delmontin with nine others of his associates; and with a step made firm by a conviction that he was now watched as one chosen to maintain the arms of his country, but with a heart more than ever filled with the bitterness of grief, he returned home to make his preparations for departure. The mother was stricken to the earth when she heard the tidings.

He lifted her to the couch from which she declared her resolution never more to rise. He strove, but vainly to console her.

"I will win honor, dear mother; I will acquire fame and wealth, and we shall all live without toil or sorrow when I return," was his encouraging language. But she would not listen,—she did not believe.

"Never! never!—you never will return, Jules, or I will not live to see it. Claude Pillot said the same thing to his mother,—I myself heard him,—yet he came not back; and there was Francois, the carpenter, and Henri Huite, and Jean Collot, and many, many more, that left us only five years ago, and they are all dead,—dead and buried a million of leagues among the mountains and the ice. No, Jules,—I will not believe it,—there is no hope,—you will go, you will go, but you never will return, or you will return too late to look on me."

The poor youth was almost broken hearted as he listened to this language, but what could he do? There was no help—there was no hope. To talk on the subject was to make it worse, and so, as he had but a day or two to spare, at most, he determined to put the best face on the matter, and make a merit of a necessity which he could not by any possibility avoid. He strove to be resolute and cheerful, and cleaned his fusil until it became a mirror, and brushed up his gaiters, and polished his leather cap and burnished its ornaments, and tried to persuade himself that he felt the *esprit du corps* which made his comrades so complete a contrast to himself. Though he felt that it would be misery to him to go, as he felt that his departure must be almost death to one parent and destitution to both, yet he had too much of personal and national pride to suffer it to be seen that a son of France, in his person, should show signs of apprehension at the summons to battle. And so he kept himself from tears and complainings, and spoke cheerfully and strong, and boasted of his General and of what he would do under him, and how he should grow famous in battle, and come home from it rich. But the mother only moaned the more as she heard him, while the old father with unwonted strength and impetuosity, seized upon his staff and tottered out of the cottage.

The old man sallied forth with a faint hope that something might yet be done to save his only son from the fate which seemed to await him. His steps naturally inclined to the dwelling of his neighbour and friend, the venerable Cure of the village. The Cure received him with commisseration and listened patiently to the story of his sorrows which, by this time, he very well knew. He told him what the whole village knew, that Jules was the only support of his old mother and himself; and that to lose his labors

would be to throw them for support upon the doubtful charity of their neighbours. This was clear enough, but the Cure could give him no comfort—no redress. He counselled him, however, to seek the *Commissaire*. The Cure went with him to see that officer, and they were readily admitted to the interview they sought. The Commissaire listened to them with the patience of a man of business, who, without being very much moved by lamentations with which his position made him incessantly familiar, was yet not without that feeling of humanity which made him exert himself to be civil. He graciously looked over the code of laws devoted to the subject of conscription, and read for him the various exceptions against the liability of the citizen. The eager father bent forward, listening to every word and fearing to lose a single syllable. At length, as one passage met his ears, he interrupted the reader with faltering accents.—

“Read me that again, M. Commissaire,—there is something—it is something, I fail to understand,—a word—a sentence. Read again, I pray you.”

His emotion increased as the officer drawled forth a repetition of one of the passages which had fixed, more than any other, the old man’s attention. This was a clause which excepted from the operation of the law the only sons of widows. The old man seemed satisfied when he heard it, said nothing, but listened with much more coolness, and something like indifference, to the end of the document.

“I thank you, M. Commissaire. You have been very kind and indulgent. Will you now suffer me to look at the paper for an instant.”

The request of the old man was civilly complied with. He adjusted his spectacles with trembling hands, and for a few moments pored carefully over the paper in silence. His dim eyes were strained upon the single clause which had caught his ear in the perusal and which he had requested the officer to reperuse. When he had finished, the tears trickled down his furrowed cheeks, but he said nothing, and without a syllable handed the instrument back to the Commissaire.

“I am sorry,” said that person, “I am sorry that we can do nothing to relieve you. The laws are precise. None of the exceptions cover the case of Jules Delmontin. We can do nothing.”

“Nothing!—nothing!” was the echoing response of the father, and yet it was with some surprise that the Cure perceived that there was far more firmness in the tone of his voice when he said these two words, and far more erectness in his form. His staff was set down with more force upon the floor; and as they left the presence of the Commissaire, the eyes of the father were bright and tearless.

"His strength comes from despair, poor old man!" was the thought of the Cure.

They separated, but the father returned not to his own dwelling. He took his way in silence to the shop of the village armourer, one Jacques Portail, who lived at a little distance from the cottage of the Cure.

"Jacques Portail," said he to the tradesman, "my son Jules is wanted by France. She needs his aid for her armies,—he is selected by the conscription."

"Yes, grand-pa," replied the good natured shopkeeper with affectionate respect, "I have heard the news, and I am very sorry. I am sorry for you, my father, and for your wife. You will miss Jules very much,—he was very useful to you—very industrious—could do more work in an hour than any other lad could do in two. Truly, I can't see how you will be well able to get on without him; but you must, I suppose,—there is no help."

"None, Jacques,—none. But shall we complain? We must learn to do without him as well as we can. Our sons belong to the country. The glory of France calls for his valour, and he must go. We shall miss him less than we think."

"I hope so, grand-pa," was the reply of the shopkeeper, who was somewhat surprised to see old Delmontin take the matter so little to heart,—"I am glad to find that you bear it so well. I trust that he will win renown and come home to you safely. France has your son in her keeping now,—she is a part of him, and will share her triumphs with him."

"I thank you, Jacques, for your good wishes, and in order to make them effective, we must help him to some additional weapons. He wants pistols, Jacques,—something to have at hand, should pike fail and fusil miss fire. You have pistols, Jacques?"

"Yes,—that I have, and the very things to suit him. It is a wise provision. Many a tall fellow has had too much reliance on pike and fusil, when those merciless Cossacks have been pricking at their skirts. Give me pistols at such a time. By the blessed Virgin, there's no better help. Here now, father, are just such as Jules can rely upon. His life is safe, I warrant me, in their keeping. I have tried them with my own hands, and can assert their excellence. You shall have the pair at thirty francs."

The old man took and examined them carefully.—

"And you think these are good,—they shoot well—truly, they can hit a fair mark at a fair distance, Jacques."

"My head on it. You shall see me try them. Give me one of them, I will load it."

"Pray do," said the old man eagerly.

"I have a place at hand where I try all the weapons I sell.

None go out of my hands without due warrant. My name is upon them. My credit is at risk. Now, you shall see, grandpa,—you shall see me shoot."

While he spoke he busied himself in charging the pistols. One of them was already prepared. He laid it upon the counter. Old Delmontin took it up.

"One will do, Jacques," said he "if one shoots well, I will be convinced that both are trustworthy. But I must try the shot myself. I have shot well in my time."

"You! grand-pa! Ha! ha! that may be; but your eyes are not what they used to be. You will hardly touch your mark."

"You shall see," said the old man quietly. "Prepare the other pistol; and your shot against mine. My eyes are not so old as you fancy them. I promise you that you shall not come so near my mark as I do."

"Well, as you will, grand-pa," replied the laughing shopkeeper. "You old people never believe in the loss of the faculties you used to have when you were young. I will astonish you,—I am in practice—shoot every day of my life, and never miss the forked button that I aim at. We will shoot at that."

"Very well,—get ready," said the old man, "while I write an order to the Commissaire. Where's your ink and paper?"

"On the table to your right."

"You shall see my penmanship, Jacques," said old Delmontin, sitting at the table and writing.

"There!"

He rose and handed the folded billet to the shopkeeper, who looked at the bold hand in which the superscription was written. While Jacques Portail read, Delmontin moved towards the yard which was in the rear of the dwelling.

"Ha! what is this, grand-pa! what is this that you have written? What is here?" cried the shopkeeper, reading aloud the address.—

"To the widow Delmontin."

"Ay, ay, Jaques,—it is right," was the firm and quiet reply of the old man. "The excellence of my aim makes her a widow."

In the instant of his speech, with a steady hand, he applied the engine to his head. The shopkeeper leapt over the counter the moment he beheld the act, but his interference came too late. The deed was done. The aim was true, and the deadly bullet was unerring. He fell into the arms of Jaques Portail, instantly dead, and without a single groan. A smile of satisfaction rested upon his face, when all consciousness had left his frame. The contents of his billet were as follow:

"To the Widow, Marie Delmontin,—

"My WIFE,—Your Son is saved to you,—may you have him long. M. le Commissaire will tell you that the only son of the wi-

dow is not liable to conscription; and when you read this you are a widow. The smiles of the Virgin be with you. Farewell—farewell forever.

LOUIS LORENT DELMONTIN."

THE FALSE AND TRUE.

I.

I dreamed of a glory of many hues,
A rainbow spann'd in the azure skies;
And still,—as the thoughtless boy pursues
Wherever the gaudy insect flies,—
I chased it afar from land to land,
A glowing thing of many cares,—
I caught it at last in my feverish hand,
And, at the same instant, it turned to tears.

II.

Yet while I wept at the bow's decay,
Another rose in the clear blue sky,
And I heard a voice that seem'd to say:
‘Again pursue and it will not fly,—
For this is the true, the lasting light,
The other a semblance and born to fade;—
This is the being of endless bright,
The other of earth and a thing of shade.”

III.

Thus pleasure that springs from the lasting heav'n,
An image hath in the world below—
By sorrows and tears, alone 'tis given,
The sweet and the real from the false to know,—
And when by one false form betray'd—
A goodly lesson for heart and eye,—
Thou wilt choose the glory that may not fade,
And win the blessing that cannot die.

CHAPTER ON LIPS.

"You have witchcraft in your lips, Kate,—there is more eloquence in a sugar touch of them than in the tongues of the French council."—*Henry V.*, *Act 5.*

COME gentle spirit! that hidest thyself in the blissful folds, and enshrinest thy unseen presence in the delicate dimples that dwell and circle round the lips of beauty, ensconcing thyself therein, as in a fortalice, almost impregnable, but which may be carried by storm, by the daring besieger, or sapped by the watchful and practised engineer. Come and infuse into us some portion of thy own nature, whether it be touched with hallowed fire, or be but the mere outbreathing and pouring forth of a source as pure but more lowly in its origin, inspire us, that fitly and appropriately we may discourse upon a subject so pregnant with all incitements to our finer and better nature, as lips. But come not too nearly home, bring not with thee too deep and strong remembrances,—do not rouse the passionate, lest we forget our philosophy and run wildly off into the far and glorious abysses of rapture. We would treat the matter coolly, dispassionately and calmly; investigate with critical acumen the many sorts of lips, their peculiar "modus operandi," and the uses to which they may be put. Innumerable in their varieties and descriptions are the lips which adorn or disfigure the countenances of the denizens of earth; wild and singular are they as ever entered into the head of crackbrained caricaturist to produce, from the reflex prominences of the African up to the delicately chiselled and proudly curved outline of Pythius. Not a jot or tittle in the vast variety is without its meaning.

There still stands the statue of the Belvidere, immortal and beautiful contempt wreathed around the expanded nostril, breathing life, and seated in undying grace on the short curled upper lip. Glorious is the utter scorn of the God for his prostrate victim.

The Python is not; his folds lie stretched over acres of ground, the silver bow has sent its fatal and whistling arrow through the germ of poison. Yet the God seems scarce exultant in his victory; there is too overpowering a sense of superiority for him to claim that conquest as a new laurel in his chaplet. Then comes the luscious beauty and full pulpy softness and elasticity of Cytherea. Here there is nothing superfluous, there is just surface enough to perform the only duty such lips as hers were made for. Through the slightly parted lips comes the honied and fragrant breath, envious are they to be separated even by so sweet a means. Foam-born Aphrodite, thou art the incarnation of all the ideal and beautiful of yonder ancient land, or rather the spiritualization of the forms that moved before the unknown artist's eye. Gentleness, winning and soothing is there enthroned. There stands the Antinous the exquisite of ancient statuary, perfect in his youthful

beauty, but human, there is none of the divine aura about him which clings around the Apollo. There is a lassitude in the position and expression, which shews itself not least on the mouth. These are the models of lips according to ancient belief. Now turn we to the actual. See yonder bust of the greatest mind of England or the world. Doubtful as are the many portraits of Shakspeare, they all agree in one thing, the prodigious length of the upper lip. There seems to rest on that long yet not ungraceful feature, the mingled character of his writing. Humour seems blended with thought, and we can image the various play which it would assume, when the stormy current of his passions or emotions wakes from its deep and quiet repose. In direct opposition to this stands the lip of Byron, short, graceful, curved,—the under lip which is the seat of passion in opposition to thought or intellectual emotion, full, round and perfect in its symmetry. See too the mouth of Washington,—firmness and unyielding decision are graven on the iron surface, yet not austere. So in the countenance of one of our most eminent statesmen of the present day, the mouth is, in my opinion, the prominent and most expressive feature, thin and compressed as by mechanical force to retain, and repress the inexhaustible world of fun, which notwithstanding, peeps out slyly from the corners; nor is it satirical, but genuine, good-humoured jollity and love of the ridiculous. It redeems itself by its expression from the charge of absolute ugliness which might otherwise be justly brought against it.

But it is in woman that lips become more desirable objects and subjects. If there be any thing dearer or more enchanting than pleasant words issuing from fair lips, it has not been our lot to know of it. A beautiful mouth,—what can be more beautiful? But there are degrees in all things, and a mouth and lips beautiful though they be, should not be too extensive. There may be too much of a good thing. So too though a good colour be a fine set off to a well-formed lip, let it not be too deep; for our own part, it always makes us think of rose lip-salve, and has a smeary look which likes us not. Let then the lip be delicate and seem, if it be not, unworn: delicate in shape and contour, delicate in colour, delicate in fragrance; not of that abominable hue, which country lasses wear as topknot, and which goes to the tune of *Cherry ripe*; let them gradually and with infinite grace swell smoothly out, diverging slightly from each other so as to show the beam of the pearls within, not twisted into an habitual simper, nor bathed perpetually in the milk and water of a fashionable nonchalance, but ever varying with the blessed and happy thoughts which the owner of such a pair ought to have,—neither curling sharply up towards a thin and peaked nose, sure symptom of a scold, nor drawn demurely down and puckered like an old-fashioned purse,

token as indubitable of a brimstone under the disguise of a prude. Let there be such lips, and let the possessor have also a tolerable pair of eyes and features reasonably good, the ability and will to say gentle things of a moonlit night, or even to listen to them when said, and we fear that we should be apt to bow down and worship at the altar though our fingers may have been scorched already in paying our devotion and rendering our sacrifice. Yet though we confess ourselves critical as to lips and their appurtenances, we will own that we have seen those which though far from perfect, won gradually upon our cynic disposition until we would have combatted for their beauty against the world. But then there were assisting circumstances,—we fell not from our faith without severe temptation. For it is a sad proof of the imbecility of man, and probably a relic of that weakness which tempted him to his fall, that when lips are in the habit of saying pleasant things, they become invested with a halo arising therefrom, which like the foambow of the cataract hinders one from perceiving the ruggedness of the spot, and dazzling the practised eye, diminishes the chasm, vast though it be, to the dimensions of a nutshell. We are catholic, and quarrel not with the size so much, provided all be of the best material, but no wishy washy lips so extended as to waste all their sweetness by evaporation.

There is the quiet lip, the lip musical, the lip quizzical, the lip ordinary, the huge sturdy German lip redolent of red herrings and evidently pressed outward into unseemly protuberance by their polyangular hard sounding words, the classic lip which bears the impress of the ancient and golden time, the lip positive, the lip stubborn, one degree above that, the good humoured rosy laughing lip, the pouting ill-tempered lip, *et id genus omne*. There would be no end to the distinctions and shades of difference which a nice and practised observer might draw. Among all these, in this immense and varied tulip bed, we scarce know to which to yield the palm; for our own special amusement we rather prefer the lip quizzical, but mind ye, only for amusement: and we own in our softer moods no small attachment to the good-humored lip; but when the dog-star rages, and we feel disposed to poetize, there is nothing like the classic, with its chaste severity of outline just sufficiently filled up to redeem from the charge of meagreness, and only shewing by its rich hue and tremulous quivering that it is not cut from the polished marble.

So much for the various species and genera of lips, wherein if we have not been sufficiently distinct in describing the differences, we beseech the reader to imagine the difficulty of the task, and to consider, that ever as we are faintly endeavoring to portray some peculiar pair that cross our memory, comes crowding on us a host of other rubied reminiscences, peeping up one over another, until

we ask with Macbeth, "what will the line stretch out until the crack of doom." A most blessed bewilderment to be sure, but still we are lost,—there can be no individuality in our ideas when surrounded by this magic host.

The manner in which lips operate is peculiar. It is said that the best way to extract venom from a wound is by applying lips thereto, as did Queen Philippa of conjugal memory. Some young friends of ours, thinking this an admirable precedent and worthy of all imitation, took large and repeated doses of this Panacea: The effect was deplorable. Although warranted to contain no mercury, a severe salivation ensued; they became rabid, symptoms of brain fever were evident, they fell into a melancholic state, were troubled with an hyperbolical fiend which would speak of nothing but ladies, and would undoubtedly have perished in a most miserable way, but for the kind advice of a regular physician who recommended marriage, which produced the desired effect; and singular to state, they have since been able to take enormous doses of the medicine, though not with half the pleasure, still without any injurious effect; it is now as harmless as soup and may be taken *ad lib.*

Whether lips were originally intended more for the purpose of speaking or kissing, is a point as yet undecided. I have searched in vain in all authors who busy themselves with inquiries into the origin of the human race and of society, but find no definite answer. Still I think I have the majority on my side. For most of these sages suppose language to have been an invention of man, and to have occupied some time before it was susceptible of use. Now if men and women could not talk, of what possible use were lips but for kissing? This question I mean to submit to some learned Society and pray their earnest consideration. I put eating out of the question as in the first place, decidedly earthly and unimaginative, and secondly because they could not eat all the time, whereas so far as has been tried you may kiss as long as you like. Kisses have been celebrated from time unknown, every new-fledged poet has discharged his volley of rhyme at this mark, as little boys do at unlucky sparrows. In some countries it has been much abused; men have ventured to rub their bristly faces against each other in friendly salute. This is a custom more honored in the breach than the observance. It is as a Quaker friend of mine once said, when two young ladies were performing the same ceremony: "Friend," said he, "that is cheese and cheese, now if it were thee and one of them that were bread and cheese."

Kissing to be done in the right spirit and proper method requires a concurrence of several circumstances. First, there should be a pair to perform, not a match. Secondly, I would decidedly recommend that no one be in sight, as that destroys much

of the illusion; or if there be another in company that he or she possess sufficient discretion to turn away in the very nick of time, when the premonitory symptoms begin to shew strong. Thirdly, I would venture to suggest that there need not be much light; star-light, or the beam, faint and struggling, of the young moon is very appropriate for the performance of the rite.

A very proper time and place too, if you cannot be in the country which I would decidedly prefer, is after walking home with a pretty pair in the evening: if you are at all experienced in such matters, you will know whether to proceed or not. It is a very pretty beginning to hold out the hand for a farewell,—there you perceive at once, as a physician would say, by the pulse, whether it is the proper occasion to exhibit osculatives. Some of the less experienced in these matters think, that when “’tis done ’twere better ’twere done quickly.” For our own part, we prefer the “linked sweetness long drawn out,” and are very apt to sigh at the bursting of the bubble. Fourthly, it clearly adds to the exquisiteness of the enjoyment, that the performance be mutual. Some indeed, among whom are great names in the science, recommend robbery as more decidedly exhilarating, on the principle avowed by Paul Clifford,—

“That sweeter than honey,
Is other men’s money.”

But not to mention our disapprobation as good citizens and moral men, of any thing which may tend to increase the number of cases on the Larceny docket, and our dislike for the usual reward for such attempts even when administered by the fairest hands, we hold it to be unjust and interfering with the reserved rights of the sex, and therefore declare all such attempts *ab initio null and void*, and not kisses in fact within the purview of the Constitution.

Kissing should be done *con amore et con spirito*, and to any time known in music. There should be an union of lips and hearts, to make a perfect kiss. There is a counterfeit article frequently seen, but any one at all acquainted with the genuine can easily detect the difference. There is a flavour, a zest, a racy spiciness about the one which the other possesses not, but is altogether flat, stale and unprofitable. It is mere *lip-service*—as man pleasers—not the irrepressible burst of true affection. And this leads us to consider the uses to which lips may be put. And first and greatest, their original and intended use was, is, and is to be kissing. Now kisses vary according to the performer and recipient, or the pair of performers. There is first and earliest in life the kiss parental, altogether upon one side. Holy and unspeakable is the love which bows the young and beautiful mother over the fair face of her sleeping babe, and bids her press her soft lips on the pure fore-

head of the dreaming and happy child. Her heart thrills with a newborn and strange delight, as she presses the dear one to her bosom, throbbing, yet checked in its wild and bounding joy that it may not disturb the rest of the sleeper. A boundless and perfect happiness dwells and nestles in her heart, and yet she knows not why; the child is hers, and in that thought is all of happy and blessed that she wishes to know. Again the mother presses her lips, not as before, on that same brow,—the child sleeps, but it is the sleep of death,—the forehead is pale, cold as marble, the deep blue veins have settled into the fatal stain, the soft and beaming eye lies closed, and the young form of hope and buoyancy is frozen into a rigid mass, the mere outline of life. But the mother's kiss rests on the face until they meet again,—the last token of that love which must now prey upon itself.

Then comes the kiss sisterly. A fair being bound to you by the holiest tie, has grown up under your very eye, the delicate bud of her early beauty has expanded into a full and perfect bloom, the play-mate of your boyhood's best hours, the sharer of your early joys and sorrows, becomes another's, the perfect unison of your nature is destroyed, and some strings do no longer respond to the voice of the other. She goes from you and from her home, and the pressure of her pure lips meets yours. There let it dwell, for earth bears nothing so sacred.

Next in degree is the kiss cousinly. This we take to be a mere cover and concealment, a mask to hide the truth of the matter, which is an innate love for kissing. Still, under proper restrictions, as that there always be a witness present to destroy the charm, and that it be done as a matter of fact thing, like taking breakfast, even this becomes allowable and commendable. We have observed that it is only when cousins are good-looking and have pleasant lips that this species is much in vogue,—it is only then that the ties of consanguinity draw very close. This, however, is merely a speculation.

The kiss "relational," if we may make a word, is generally a bore, and sure to be performed by all fat grandames, maiden aunts, &c. It expresses regard, we suppose, on the part of the performer, and Christian humility and patience on that of the sufferer.

The friendly kiss is uncommon in this part of the world, except in the case of cheese and cheese, which we maintain only the shadow and idea of a kiss, shorn of its original brightness and kiss half ruined. It is so little exhilarating in its effects as to deserve the notice of all Temperance Societies and of no one else.

To pass over the intermediate stages of the kiss lively, or frolicksome, the kiss joyous and so on, let us arrive at once, at the great arcanum, the universal solvent which transmutes, for the

time being, all surrounding objects into golden brilliancy, investing every thing, animate or inanimate, which has borne witness to the performance, with ineffable and celestial splendour.

It is the kiss scarce yielded, yet not taken, from that particular pair of lips which have but of late, trembled as they faintly yet to your ear, oh enraptured lover, most distinctly, moulded into the shape and presence of words the hopes which had long hung flutteringly around your heart, and which had beamed with a bewitching expression from her eye and suffused her face with the rich hue of virgin truth and tenderness. It is the first kiss of an unchanging and earnest love, pure as the beams of the noon-day sun, and like them causing all the long cherished and concealed germs of passion and emotion to burst forth into a sudden and brilliant existence, as the Tropic flowers, start from their sheaths in uncounted numbers and unrivalled beauty. The full tide of their perfect bliss knows no check, no stay, but ever rolls calmly and swellingly on, wave succeeding wave, in an unbouuded and heaven tinted ocean of delight. The tale of love has been told, low and murmuring come the words, the strong frame quivering with excess of emotion, and the tones of the deep and manly voice fading into utter tenderness and music, the delicate hand rests in his, and the pressure of that light touch thrills through bone and nerve. The lips meet, and the soul in its wild and bounding joy loses its consciousness for a while and trembles unsteadily on the confines of a most happy delirium. It is the first,—let its memory live forever among the choicest treasures of by-gone years. Its charm may soon pass, a blight may traverse the green spot of recollection and leave but a withered Paradise Lost in the place of what was once the holy of holies, where all of bright and true was garnered.

Consequent upon this in the usual course of events is the kiss final. This last may be denoted as extreme unction or kiss in extremis, being the last kiss before the two become one, and the signal for the dissolution of the spell.

The kiss marital is so ordinary and common place a thing as scarce to deserve notice and is generally taken every morning fasting. The uses of all the above are so plain as to need no explanation except as to the last, the use whereof it requires some ingenuity to find out. Our conclusion and the most probable is, that it is habit merely, and continued for the sake of setting a good example. With this, we take leave of the subject with many a sigh, and beg our fair readers to remember,

"That lip was made for kissing, lady,
Not for such contempt."

H.

ENGLISH PORTRAITS.

IZAAK WALTON.

MAN should live more for his good example than himself; the beauty in him is for other eyes to see; the fire he kindles in his domestic arch, however lowly, should warm other hearts than his own. He may be one, who never strode over his prostrate foe, nor threw his gauntlet in the face of a nation's honor: and yet in the world's eye have more fame than notoriety,—more veneration than applause. Such a one writes his name in the milk of human kindness: the warrior his, in blood. The one delights the gentle and amiable; the other catches the admiration of the gaping throng—the one communes in silent places with “the still voice” within him; the other riots amidst the loud acclaim and wrangles of contesting men for sway and tinkling eminence. The life of the former offers little to amuse the million; for it seems to be a paradox of the soul to affect darkness rather than light, and to crave scenes of wo and even horror. So an author of spotless name, of retiring habits and innocent pastimes, however worthy, rarely attracts the public note. He has not fled his country, nor insinuated to himself the palm of fashionable society,—he has not seduced the hope of a tender parent; nor burlesqued God's image by his charlatanism,—he has not leaped the Rubicon; nor cut down the proud growth of a venerable dynasty, and planted amidst its withered limbs an idol for the sweetened multitude! He is virtuous; he has no remembrance in the festered heart; he hath not fired the Temple nor desecrated its altar; and, *therefore, is unknown because he is not censured.* Yet in his life, and such was Izaak Walton's, there is more to be treasured up than one meets in the whole range of a conqueror's march. Before contemplating its quiet, cheerful and benevolent phases, little is seen to interest or instruct. There is, however, an excellence, a perfume of virtue, silently enveloping this good man, that subdues our harsh impulses, and incites us to love our species with a quick and enduring affection. We see him ever in a mellow twilight, with no darkness or glare, to blind or dim our eyes; and in every season of his course through “this vale of tears;” in the fair or the troubled sky, that at intervals canopied his soul, piety like a bright particular star cast upon him its kindling influence. The nods of power, the jibes of the witless, the threats of arrogant covenanters could not move him to fear or anger; nor banish the sweet spell of charity from his nature; but with a pure heart and meek spirit he went his ways and gently shook off his deriders. There

was a moral beauty in "honest Izaak," which won the affections of the learned and the great, and the truly benign of every class and denomination. He bore his faculties so meekly, and was so exclusive in the selection of his unimpeached associates, that the high born and the humble, alike sought him with a veneration, which told them that in another presence besides his, birth would have no preference—no grade from star or ermine.

The impure could not live in the air he breathed, it was so redolent of a holy propriety,—a propriety, which I may say, pervades all his works. The mocker of sacred things, the hot-spur of an over-vaulting ambition, the chapman stingy of his golden stores hoarded from chaffering on festival days, with the sighs and tears and empty hopes of the unwary and unfortunate, can never relish them,—in them, no measures of grain, or credit and debit sides appear; nor are there any hiding spots, where gleam-eyed malice and unlicensed rage may cool their cankered spleen,—no unchaste thought, no Scripture jest, no lascivious wit or wanton jeer sullies his pages,—an even, a chaste and genial beauty covers them, as fitly as the color its ripened fruit. And here let me sincerely affirm, that I who feel no embodied religion, and am charged by my loving friends, as one addicted to fluting and singing, and many droll and out of the way humors; have never read "Walton's Lives," that I was not rebuked and improved,—nay, I have felt like one in the temple with God's eye upon him. This may seem affectation—the sentiment of an author who would beg charities for himself; yet, has it ever been so,—yet, has a perusal of the lives of the good and worthy men, he has embalmed for posterity, softened a heart that many strokes of fortune could not amend. The lessons learned from their cheerful and evangelical piety, have taught me, as the "holy Herbert" used to say, that "Religion does not banish mirth, but only moderates and sets rule to it;" and that there is no scowl in worship,—it is the putter-on of its robes, who scares away the sensitive from its altars,—more especially, those who unfortunately inspect the conduct of the man and not the priest; and do not separate the pretender to godliness from the pure and eternal spirit that has no graven or incarnate being on this earth!

Born in an age when England knew no more honorable order than her mercantile fraternities, he emulated their sedate, accurate and noble bearing; and after acquiring a competency without cheating for it, retired to a small estate in Staffordshire, where "some friends, a book, a cheerful heart and innocent conscience were his companions." Here he was entertained by the correspondence of the brightest ornaments of the established church; and it was here his mind began to converse with nature. Not versed in the profound learning of the schools, he nevertheless

felt a keen relish for the beautiful; and had attained a correct, and it would seem from his writings, an extensive acquaintance with the subjects on which he wrote. Much of the curious learning diffused through his works may have been snatched from the conversation of such ripe and good scholars, as Sir Henry Wotton, Fuller and Donne; but his style, one of the most beautiful in our language is his own,—a style of so rare a purity, that in accounting for it, I have ever been puzzled. How one self-taught, and living to the green old age of ninety years, during which period the English language underwent its most remarkable changes; could avoid selecting for his model, the utter baldness of this style, or the Asiatic luxuriance of that,—the Saxon construction of one author, or the Latin inversion of another,—the sentimentality of this one, spiritualized to a fantastical and airy thinness; and the metaphysical conceit of all, when a sigh was analyzed into as many tones as the notes of a harp, and a tear into as many hues as the colors of the rainbow,—in fine, when the English language, up to the time he wrote, held out no eminent standard, but admitted any one, even the alien dressed in rags or in gold, the mawkish or the delicate, the jejune or the pregnant of wit, to an equality of conditions in the republic of letters; has ever been a matter of surprise to me, and of praise and honor to him. We must wonder at the singular propriety, the graceful fluency and the choice poetical expression to be met with in every line of his works. The cleverest writers of his day are either too full of ideas, or too spare of them,—the one feeds us to choking, the other would have us live on sparkling beverages,—the one throws his ideas together in heaps, the other strews them so widely apart on a poppy sward, that we tire in gathering them and are tempted to sleep. The one plucks the grapes and serves them up by the dish-full, the other gives us only one bunch at a time, so decked with *wreaths* of flowers, that we can scarcely find a grape to allay our thirst; on the other hand, Walton carries us to the wild and bids us eat them from the vine. He does not give us a peeled apple,—he offers it with its golden rind gracefully shaded by the few green leaves attached to its transparent stem. In a word, his style is fresh;—the hand of nature is seen in his,—the marks of the file and the smell of the lamp are perceived in theirs. He throws over his an Ionian charm, a starry-spell; while they illuminate theirs with the gorgeous chandeliers, and the ten thousand reflectors of the arts, in a hall of exotic odors and well wrought gems. Even his wit is of the same character,—it is simple, natural, and comes from his subject as odor from the flower,—he does not go too far for a resemblance,—there is no straining to reach an object,—he does not stride from the sea-shore to the mountain-top,—he does not beat about the remains of antiquity for a dusty conceit; nor

twist into a pun the senatorial dignity of a Latin word from its fair use,—nor does he pinch the dimensions of an idea into a paltry morsel, for sickly appetites to swallow,—his resemblances are not too distant to be obscure, nor too near to lose the quality of wit. And his humor!—how it glows and glitters—how it brightens the eyes and lips with smiles,—how like a sweet accord in music does it strike on the rapt and ravished sense. It comes from a soul at ease, animated by the pulses of a body hale and healthful, rid of pain and the excitement of a licentious habit. It is an allotment—a gift—a nature in him—that springs to the surface as gently as the sky-tinted bubble on the limpid stream. It is not a vivacity that is meet for the dance and the revel, that can smile when the heart is sad and suit its look and carriage to every company,—that has no pause for contemplation,—that can joke to amuse the frivolous beside the fresh grave; and cannot, or pretends not to feel an indefinable superstitious dread, at the echoes of its *lonely* laugh in the pentup house of God. His, was humour in every sense of the word, not like vivacity, *an art*. An equanimity of temper kept his heart in the right place,—his sight was undimmed, his strength not wasted by night-carousals, so that nature was no delusion to him. He could feel and describe her nothing extenuate of her fair proportions, with a cool and searching judgment. Now there are some authors, who unlike Philip's son, do not weep for other worlds, but set about creating one of monsters and skittish spirits, which thanks to our Lady Mary, hath no embodiment any where, except in their distempered minds. At once I declare that Izaak was not one of these. Nature was sufficiently complete for him,—he did not hanker to ride a Centaur,—the brook, the grove, the tiny insect, and the fish in the silvery pool were food for his entertainment. The hills of God were the eminences, from which he surveyed the quiet scenes of human and rural loneliness; and when he would exhibit nature in her solitudes he hung out no costly lamp,—in his opinion, the day's was the better light. To his eye, she wanted no fresher hue, no more graceful covering than her unadorned beauty; and therefore, he never dresses her in court robes nor elevates her an inch or so, to strut like a Grecian actor in high-heel shoes. He showed her and would have her, as she is, for better or for worse.

Angling, the chief amusement of Walton, contributed largely in tinging his thoughts with a fresh and innocent primitiveness and rural purity. "No life, my honest scholar," says he, "no life so happy and so pleasant as the life of a well governed angler: for when the lawyer is swallowed up with business and the statesman is preventing or contriving plots, then we sit on cow-slip banks, hear the birds sing, and possess ourselves in as much quietness as the silent silver streams which we now see glide so quickly

by us. Indeed, my good scholar, we may say of angling as Dr. Boteler said of straw-berries,—‘Doubtless God could have made a better berry, but doubtless he never did;’ and so, (if I might be judge,) God never did make a more calm, quiet, innocent recreation than angling.” And in confirmation of this, let me add, I never knew “a brother of the angle,” and such have I known, who was not of a placid, amiable and devotional temper. I allude not here to that class; who fish upon the angry deep, and grow so familiar with its terrors, that death has no note with them,—it is rural angling, which Sir Henry Wotton said was “an employment for his idle time, which was not then idly spent: for angling was after a tedious study a rest to the mind, a cheerer of his spirits, a diverter of sadness, a calmer of unquiet thoughts, a moderator of passions, and that it begat habits of peace and patience in those that profess and practice it.” And as honest Izaak says: “Indeed, my friend, you will find angling to be like the virtue of humility, which has a calmness of spirit and a world of other blessings attending it.” To induce these happy temperaments of soul and body, an ancient ecclesiastical canon, while it permitted churchmen to angle, forbid their hunting “as a turbulent, toilsome, perplexing recreation.” This was in keeping with the sacred office. No blood streams from the dying fish,—it turns not up its suppliant eye,—it utters no murmur like the human voice,—it does not coo and cry for mercy,—it speaks not with its eyes as the brute,—it is a stranger to us, with no mark or enticement for our sympathy,—it lives in an element in which we cannot breathe and dies in ours; on the contrary, nothing creeps or walks or flies on the land that is not in some degree our familiar,—that does not excite an interest from its showing some likeness to ourselves in voice, in eye and feature, in passion or understanding. And to destroy unnecessarily the life that feels and confesses our dominion, and that has often come to our very door-way for safety, is an act, to say the least of it, wantonly cruel and unworthy the humanity of the churchman.

The work on which the critics rest Walton’s fame, is his “Complete Angler;” containing, in my humble opinion, more genius but less practical and wholesome instruction than his “Lives.” One of his biographers, moreover, thinks that before preparing this work he had seen the one compiled by Julianna Berners of the nunnery of Sopwell, near St. Albans; a lady of noble connexions and eminent accomplishments; for there are in many parts of it remarkable similitudes to the sentiments of Walton. It was printed by Wynkyn de Worde in 1486, and is esteemed a precious relique. This chaste dame, after comparing the pleasures of angling with the diversions of hunting, hawking and fowling, says: “The angler atte the leest, hath his holsom walke, and mery at his

ease, a swete ayre of the sweet sauoure of the mede floures, that makyth him hungry; he hereth the melodyous armony of fowles; he seeth the yonge swannes, heerons, duckes, cotes, and many other fowles, wyth theyr brodes; whyche me semyth better than alle the noyse of houndys, the blastes of hornys, and the scrye of foules, that hunters, fawkeners, and fowlers can make. And if the angler take fyssh; surely, thenne, is there noo man merier than he is in his spyrite." However, we are not for this, to write plagiarist across "honest Izaak's" name. Out of the slight materials in this and other works, with his own experience and close observance of the habits of fishes, he has accomplished a task, for which every lover of the angle will venerate his memory; for, from the first part of "The Complete Angler," written by himself, and the second by Charles Cotton, a poet of no small celebrity, all subsequent writers on the same subject have largely drawn. And as a pattern of pure English undefiled,—of sentiment not lackadaisical,—of a vivacity not frivolous,—of a primitive and almost saint-like virtue not prideful or starched,—of a rural beauty, not coarse or clownish,—of a wit natural not pedantic, and of a mild and sweet amiability not unsettled or forward,—it can have no superior. He was not only "the common father of all anglers," as Langbaine called him, but the improver of his native tongue. No author without his pure spirit and cheerful impulse could have written this work. Contrast the first with the second part,—observe the beautiful and simple pictures of the old man, his generous mirth and exquisitely delicate expression and dramatic humor, how far is above the tameness of the other. We are imperceptibly taught his art as we relish the turn and point and play of the dialogue. So much like a painting are his conceptions that we fancy ourselves with the white bearded old man. We enter into his humor,—we smile, we laugh, we moralize with him. We see the green tree under the shade of which "the twenty perch" swim and wanton in a clear pool; and when he casts his bait, we even peep and see the largest of them, as he "strikes it,"—and then the surprise of his scholar, Venator!—ut pictura poesis. We keep side by side with him, and are never allowed to pause unless to devour the doric delicacy of some choice poem, which but for him would have been lost to us. If we thirst, he leads us to the cool spring,—if the sun scorches, he hides us under the honey-suckle hedge,—if it rains he takes us to a deep-shady tree, and there as the shower patters on the meandering rivulet, he shows how it gladdens the green mead and the nodding shrubs; and when the pleasures of the rural scene are nearly finished—lo! we are aroused by a witty discourse from a fraternity of beggars skulking in the high grass. On our way home there is no lack of pleasantries,—he holds up the silvery trout in the sun's broad eye, and

lessons us in its tricks, its feints and final mastery; and when the enthusiast would detain us too long with his "golden mouthed" comments on the wonders and excellencies of his art, here comes a pretty innocent Maudlin, with no bonnet on her head or shoes to her tender feet, skipping from a clump of hawthorns across the path, and singing as merrily and as sweetly as a bird in the wild woods.

But alas! we are no painter as Walton was,—his pencil is buried with him in the grave! Let those who would see the original picture, buy or beg it, I shall no longer sully its purity with my lame description. Venerable old man! were there many as thou, so lovely in thy thoughts, how gently would we ripple down the tide of time. Were all of us anglers in our idle moments, never would we cast baits to the lean and hungry,—never would we fish for crowns and high-reared eminences,—we should then feel "*the blessedness of being little*,"—would men oftener dwell as thou didst, amid the simple and refreshing beauties of the dale and hill, peace would have room in their souls. But, ah me, too many have a scurvy and seared frame of heart to dwell alone. Silence is death to them because it is God's repose. Solitude has no aims for mad ambition,—no peopled rivals to tug for power,—no stirring scenes of blood or carnage or dizzy peril, to lash the passions and to strangle thought,—no tongue-charmed orators to laud with undue compliments. The worldling flies it, to drown his sighs in the alarums of the multitude, and hide his plots in their dark shadows. He dares not look into the native mirror of the waters lest it reflect back some scowl or muscular agony, that he would conceal even from himself. Fool in thy heart, God made these brooks and these rivulets for thy amendment. He would have thee go alone under the influence of the woods and the mysterious stillness of the winds, and *eye thyself in his pure mirror*; and if thy heart be content thou mayest feel it there; but if rapt in hate, it pant to violate his ordinance, thou canst not look, nay, thou darest not see thyself—for then, there is no lineament of the Maker in thy face!

C.

NIGHT.

Now silence opes her deeply brooding wing
 O'er Nature's works,—the breeze hath sighed farewell,—
 Within their emerald bell
 Night flowers are folded, and each crystal spring
 Wells up with softer shell.

The morn is fair, when from the ruby waves
 Of ocean starts the god of day and pours
 His glory on the bowers,
 The founts and hills of the green earth, and laves
 In gold its bursting flowers.

Noon too is glorious, and the sunset hour
 With rich and varying tinted drapery,
 Veiling the western sky,
 And curtaining the day-god's evening bower
 With robes of royalty.

But lovelier is night—when the full moon
 Returns to hang her silver tapestry
 O'er the sad earth and sea;
 Or the fond stars again light one by one
 Their torches in the sky.

She draws around the weary sons of toil
 The silken curtains of her soft repose,
 And fondly comes to close
 Man's hours of strife and care, and to beguile
 E'en grief of half her woes.

The night, the silent night is life's romance,—
 When all that we have known, or is, or seems,
 Is blended in our dreams,
 And Fancy wings her wizard flight to glance
 Where Hope's fair sun-light gleams.

The casket slumbers, but the unfettered mind
 Breaks from the thraldom of reality,
 And glorying to be free
 Expands her viewless wings, and leaves behind
 This clay mortality.

Night is the time for calm and solemn thought,
 When the clear stars from the blue heavens look down;
 And pensive and alone
 With nature and her God, the soul hath caught
 A deeper, holier tone.

H.

**ELECTRICAL ASTRONOMY; OR SPECULATIONS ON THE
ELECTRICAL CONDITION OF THE SUN.**

BY HARWOOD BURT, M. D.

I have ventured to call the subject of the present communication electrical astronomy, as I propose in it, to treat of the probable agency of electricity in producing and maintaining the present position of the starry heavens. I say *probable* agency, because our present acquaintance with the science of electricity as well as a want of proper astronomical observations, will not enable us to *demonstrate* this agency. I believe that is pretty generally conjectured among philosophers, that the principles of gravitation, electricity, magnetism and galvanism, are one and the same great agent under different modifications. But be this as it may, there appear to be certain phenomena in the starry heavens as well as the solar system, that never can be explained upon the principle of gravitation alone, and require for their satisfactory solution the existence of another active agent whose influence must be constantly exerted in order that this arrangement may be sustained. The existence of a central repulsive power as well as a central power of attraction seems absolutely indispensable to the maintenance of this arrangement of the heavenly bodies. I freely admit that the planetary bodies revolving around our sun as a common centre of attraction with their present centrifugal forces might continue their arrangement ad-infinitum, provided they met with no resistance in the fields of ether through which they pass; but it is universally agreed among astronomers that the fixed stars themselves are suns, great centres of attraction, around which systems of planets revolve like those around our sun. This being the case, according to all the known laws of gravitation, these suns and systems must attract one another, and there would be a universal tendency among all the heavenly bodies that fill the immeasurable regions of space, towards some common centre of gravity, and in which unless prevented by some other agent they must all, sooner or later, find one common ruin. To this it may be objected, that our system is known to have a progressive motion through space, and that its centrifugal force is sufficient to keep it in its orbit around its distant centre of attraction. But unless its circuit is immeasurably greater than the mind of man can well conceive and its progress exceedingly slow, the direction of its centre of revolution would surely in so many ages of astronomical observation, have been in some degree indicated by variations in the angular distances of the other heavenly bodies. But as no such variations have been observed, at least none that would justify the merest conjecture as to the direction of its centre of revolution, I think it probable that the progressive motion of our system through space is not orbicular, and that it consists in nothing more than oscillations between the distant centres of repulsion by which it is surrounded. If we regard the fixed stars as so many suns possessing by virtue of their principle of gravity a greater or less attraction for each other, and

at the same time so intensely electric as greatly to overbalance their attraction by electrical repulsion, then we can understand more readily how these great centres maintain their relative positions in space and how our system may have a progressive motion without materially changing the angular distances of the other heavenly bodies, why new stars occasionally make their appearance, continue for a greater or less number of years and then again recede into the depths of space, and why some which have long been visible gradually disappear. All these phenomena are certainly rendered more intelligible to the mind upon this theory than they can be upon the supposition that each star is a sun with a system of planets revolving around it, which system is itself revolving around some other distant centre of attraction. Now if we regard each star as a sun and each one of these suns as a great centre of repulsion as well as attraction, then the mind readily comprehends how each one of these centres would find its mean position in space. It would unavoidably seek that point where its own attraction and repulsion would be balanced by the mean attraction and repulsion of all the suns and systems by which it is surrounded, and it might continue for millions of years oscillating about this point, before it acquires its final adjustment; and this arrangement would forever destroy the possibility of confusion or future collision among the heavenly bodies.

Whenever the repulsive force accumulates in an undue proportion, on one side of a system, the progressive motion of that system through space would be as a matter of course in an opposite direction, and the system once put in motion might, from the impetus it receives, continue its progress beyond its mean position and encroach upon some other centre, the repulsive power of which would finally arrest its progress and turn it back again in the direction whence it came, or in that direction towards which it would meet the least resistance. Thus may we understand how a star may be pushed as it were, by the repulsive power of systems situated far beyond it in space, in a line directly towards our system, until it comes within range of our vision, continue for a time, and then by an oscillation in an opposite direction recede again toward its original position. I think it probable that this external pressure or repulsion exerted by the surrounding centres might be so adjusted upon two self-repellant bodies as to cause them to revolve around each other in orbits similar to the lunary systems, and that an examination of the circumstances connected with the progressive motion of our system will go far to confirm the truth of the above opinions. It is said by Sir Wm. Herschel and believed by astronomers generally, that all the stars have a motion tending towards that point in the heavens diametrically opposite the constellation Hercules, which they believe to be produced by the progressive motion of our system towards that constellation. Now if the progressive motion of our system is produced by gravitation, we should reasonably expect to find in that section of the heavens towards which it is tending the largest stars and most brilliant constellations; but if it be produced by repulsion then we should expect to find them in that section from which it is receding; and it is not a little strange that this last condition is so literally fulfilled that the progressive motion of our system seems to be almost in a direct line from Sirius, the

largest star in the heavens. At least the stars and constellations in the section from which it is receding very far transcend in magnitude and brilliancy those in any other portion of the visible heavens, and reasoning from analogy, if the progressive motion of our system is orbicular and determined by gravitation, we should expect to find the centre of its revolution in Sirius or its vicinity, as Sir David Brewster has determined the magnitude of this star to be at least three or four times as large as our sun. We know it to be a law among the heavenly bodies, at least those with whose motions we are acquainted, that the smaller body always revolves around the next largest visible body in its vicinity; thus the Satellite revolves around its primary, and the planet with its Satellites revolves around the Sun, and to carry out the analogy, the sun with its system of planets and satellites should revolve around the next largest visible mass of matter in the surrounding space. But so far as we have yet been enabled to determine the direction of the progressive motion of our system, precisely the opposite of all this has taken place, for our motion appears to be under the direction of a force just the opposite of gravitation.

We are receding almost directly from the largest visible mass of matter in our vicinity; Canis Major, Orion, C. Minor, Taurus, Gemini, and sundry magnificent constellations are situated in that portion of the heavens opposite the point towards which our system is tending; and thus are we led to conclude from a careful examination of all the observed phenomena connected with the progressive motion of our system that we are impelled by a repulsive power situated in the direction of those great constellations, and must as a matter of course continue to recede from them until the repulsion of those great centres towards which our system is tending, shall accumulate sufficiently to arrest its progress and cause it to vibrate in the direction whence it came.

The opinion that our sun as well as the fixed stars by which it is surrounded in space maintain their relative positions by virtue of electrical repulsion, is one that I am far from believing myself capable of demonstrating, nor do I flatter myself that I shall be able to do more than glean from the solar system such evidence as will excuse the conjecture. Philosophers have so long been in the habit of receiving no other explanations of astronomical phenomena but such as are susceptible of mathematical demonstration, that explanations drawn from any other source would be likely to find but little favor in the eyes of astronomers in this day. But when we observe a phenomenon in the solar system or a condition of a heavenly body which has heretofore been regarded as totally inexplicable, and which could not by possibility have resulted from the operation of the two great forces which are said to controul all the motions of the heavenly bodies, then I think we are at least excusable in searching for some other agent or natural cause to whose influence we may rationally ascribe such a phenomenon.

And in glancing at the phenomena of the solar system which may be regarded as indicative of the electrical condition of our sun, I shall first notice *the obliquity of the ecliptic to the plane of the equator*,—a phenomenon which I have been led to suspect, depends upon the difference in the magnetic

intensity of the two hemispheres of our globe; but in order to understand the explanation which I propose, it will be necessary for a time, to assume that the sun is intensely positive, and that it disturbs the electrical equilibrium of the planets by the *law of induction*, and then the obliquity of the ecliptic to the plane of the equator would seem to result as a matter of course, from such a state of things. If ever our earth revolved upon an axis perpendicular to the plane of its orbit, then the plane of the ecliptic and the plane of the equator must as a natural consequence have coincided; but so soon as any cause or causes whatever conspired to render one hemisphere of the globe negative and the other positive, immediately the inductive influence of the sun began to be unequally exerted upon them. The attraction of the positive sun would be greatest on the negative or southern hemisphere, and this attraction would occasion a digression of the negative pole and a corresponding elevation or recession of the positive pole; and this depression of the southern and elevation of the northern pole would give the identical inclination of the earth's axis to the plane of the ecliptic which we see it now possesses; and the rapidity with which this inclination increased must have been proportionate to the original eccentricity of the earth's orbit and to the negative intensity of the southern hemisphere, while the extent to which it advanced must have been determined by the gradual approach of the earth's orbit to a circular shape, and the resistance which the rotary motion of the earth upon its axis furnished to the disturbing influence of the sun. One of the strongest arguments in favour of this explanation is, that the present inclination of the earth's axis to the plane of the ecliptic, could not have been produced by the inductive influence of the sun in an orbit of any other shape than that which the earth possesses. For it is obvious, that if the earth's orbit had been a perfect circle, any depression of the southern pole occasioned by the inductive influence of the sun, would have been perpetually increasing until it would have pointed directly to the sun in every portion of its orbit; and it would have been impossible for the earth's axis to have continued under these circumstances, parallel to itself in its revolution round the sun. For it is clear, that the attraction of the positive sun for the negative hemisphere would have been equal from every point of a circular orbit; and hence the slightest inclination of the Southern pole towards the sun would have been maintained in every portion of the orbit, causing the northern pole to describe annually circles in the heavens similar to those which are now occasioned by the precession of the Equinoxes in every 2500 years. Nor could the present inclination of the axis have been produced in an elliptical orbit if the sun had been situated in the centre of the ellipse; for the first inclination would have taken place in the earth's axis at its nearest approach to the sun which would have been in passing the shorter diameter of its orbit, and whatever inclination towards the sun the southern pole might have received at this point, would have been corrected as the earth on its return passed the opposite portion of its orbit. It is clear, that the attraction of the positive sun for the negative hemisphere of the globe in passing the two extremes of the shorter axis of its orbit, would have been exerted in diametrically opposite directions, so that although the inductive influence of the sun thus situated in

the centre of the ellipse might have occasioned oscillations in the earth's axis of rotations, still it never could have given to it any permanent inclination. But place the sun in one of the foci of the ellipse and you will find that his inductive influence will produce a very similar if not the identical inclination of the earth's axis to the plane of the ecliptic which it possesses at present. But as a matter of course in this case we presume that the original eccentricity of the earth's orbit was so great as to bring the earth in its perihelion near enough the sun to enable his inductive influence to overcome the stability of the axis of rotation, or to overcome the resistance furnished by the rotary motion of the earth upon its axis, so that whenever the earth approached its perihelion the attraction of the sun for the negative hemisphere and his repulsion of the positive, were combined in giving the earth's axis a certain degree of inclination, and this inclination became increased at each annual revolution. But the amount of annual increase must have diminished in proportion to the diminution in the eccentricity of the earth's orbit until finally this diminution became so great as to remove the earth in its perihelion too far from the sun, for his inductive influence further to disturb the position of its axis: and whatever inclination the axis had at that time must be maintained with slight variations so long as the earth revolves in an orbit with an eccentricity not less than the one which it possessed at the time when the inclination ceased to be augmented. But whether this diminution in the eccentricity of the earth's orbit has been the effect of a central repulsive power, dependent upon the electrical condition of the sun, and operating upon the earth as an electric of a greater or less degree of intensity, or whether it has been exclusively the result of the disturbing influence of the other planets, I am not prepared to say. But I believe that no philosopher has ever yet attempted to assign any limit to the original eccentricity of the earth's orbit, and all agree in believing that it was once far greater than at present. This opinion is very strongly corroborated by the geological indications in high northern latitudes, where we find the fossil remains of vegetables and animals, which are now known to exist only in tropical regions, showing that the frigid zone must have once possessed a much higher temperature than it does at present, which must have resulted from the greater approximation of the earth to the sun in perihelion, particularly, when the perihelion coincided with the summer solstice.

But it may be asked what evidence can be adduced to prove that the earth ever revolved upon an axis perpendicular to the plane of the ecliptic. In answer to this question I would say, that if the oblate spheroidal figure of the earth has been the result of its diurnal revolution, it would appear that, that revolution must have been performed upon an axis perpendicular to the plane of its orbit; for if while the earth was in a fluid state, either in a state of fiery fusion or of aqueous solution, it had received its present projectile force, in an orbit forming an angle with the plane of the equator, that the spheroidal figure would have been so modified by this force that the shorter diameter of the spheroid would neither have coincided with its axis of rotation nor with the axis of its orbit, but must have been found occupying some mean position between the two. But as we

find that the shorter axis of this oblate spheroid coincides exactly with its axis of rotation, we are led to conclude that the earth received this shape before its axis received its present inclination; and hence we perceive that the obliquity of the ecliptic to the plane of the equator, in all probability, was produced by some cause operating subsequently to the time in which the earth received its present oblate spheroidal figure.

According to the law of electrical induction, the sun must tend continually to produce a negative state in that side of a planet next himself, while he tends constantly to produce a positive state in the side furthest from him, so that the two sides of a planet, the one next the sun and the one farthest from him, are always kept in opposite electrical conditions, and the intensity of their electrical excitement must depend upon the proximity of the planet to the sun, the rapidity of its rotary motion upon its axis and upon its conducting power. If the rotary motion of our earth upon its axis be much increased while its conducting power remained the same, the accumulations of positive and negative electricity upon its opposite surfaces would be greatly diminished; but if its rotary motion remained the same as at present, and its conducting power should be much increased, then the reverse would be true; the negative electricity would accumulate with greater facility on the side next the sun while the positive would find its way with more ease to the opposite side, and as a consequence, all the phenomena dependant upon this disturbance in the electrical equilibrium of our planet, would be more strikingly manifested than at present. Hence as the satellites present the same surfaces to the sun during half the time required for them to revolve around their primaries, their electrical conditions as induced by the sun must be much more intense than their primaries, provided their conducting powers be the same. But in assuming that the sun is thus positively electric, I admit that so far as I know, the physical sciences furnish no *positive* evidence to prove the fact, and we are compelled to rely exclusively for proof, upon such explanations as the assumption will furnish for certain phenomena which appear to be incapable of a satisfactory solution upon any other principle. I trust that I shall be able to apply this principle in their explanation at least so plausibly as to turn the attention of philosophers to this very interesting subject, which if once established, would open a wider field for philosophical inquiry and give a new and noble aspect to the sublime science of Astronomy. We have already attempted to show what would be the probable effect of such a condition of the sun upon the fixed stars or upon all bodies in the surrounding space similarly electrified with himself, and we think we have also shown that the occasional appearance and disappearance of some of the fixed stars as well as the progressive motion of our system through space, is more plausibly explained upon the supposition of a central repulsive power than upon any other theory, and that this repulsive power depends upon the electrical condition of the sun and fixed stars or centres of the different systems that fill the surrounding space. We have also ascribed the obliquity of the ecliptic to the plane of the equator, to the electrical induction of the sun; and if this obliquity is not produced by the inductive influence of the sun, there is a very strange and unaccountable agreement between the facts

connected with it and those which would exist, provided the obliquity was actually produced by electrical induction. There are other phenomena that still remain unexplained, or else the explanations which have been given have not been satisfactory to philosophers generally, some of which I think, admit of a satisfactory and others of at least a plausible solution upon the same principle. *The variation of the magnetic needle from the true North, the meteorological changes in our atmosphere, the falling of meteoric stones, the tides, and some of the phenomena connected with the revolution of comets,* may be reckoned among the number. But in examining the electrical conditions of the moon and earth, we shall find that the degree of their intensity will be very materially varied by the relative position of these two bodies to the sun; for whenever the moon is in conjunction or opposition, the disturbance in the electrical equilibrium of the earth, will be much greater than when the moon is situated in any other portion of her orbit. The same fact will hold good in reference to the moon; for when the moon is in conjunction we then have the positive sun, and the positive surface of the moon, both acting in concert upon the negative surface of the earth, attracting its negative electricity over to the side next the sun and moon, and at the same time repelling its positive electricity with an equal force to the opposite side, thus producing the highest inductive influence upon the earth that they are capable of. Now if we turn our attention to the moon in her conjunction, we shall find that the earth and sun are both acting in concert to produce the greatest disturbance in the electrical equilibrium of that body. The negative surface of the earth is acting on the positive surface of the moon, while at the same time the positive sun is acting on her negative surface, and thus is the highest degree of electrical intensity induced in the opposite surface of the moon that the earth and sun are capable of producing. But in examining more minutely the electrical intensity of the moon in various portions of her orbit, we discover that the intensity of the earth and moon, both gradually diminish from conjunction to quadrature, where it reaches its minimum and then gradually increases from quadrature to the moon's opposition where it again attains its maximum; and in the moon's opposition we shall have the same electrical changes acted over between the sun, earth and moon, that we had in conjunction between the sun, moon and earth, as it is obvious that the earth sustains the same relation to the moon in opposition that the moon does to the earth in her conjunction. The other planets may also have some agency in controlling the electrical intensity of the earth and moon; for whenever a superior planet is in opposition its negative surface is continually turned towards the positive surface of the earth and moon, and so far as its inductive influence is exerted at all, it acts in concert with the sun in increasing their electrical intensity. The same may be said of the inferior planets, when they are on the same side of the sun with the earth, only that their positive surfaces are continually presented in the negative surfaces of the earth and moon.

A natural consequence of this inductive influence of the sun, moon and planets upon the earth would be to keep up a constant circulation of positive electricity around it from west to east; that is, down east, under the

earth upon the west side and over to east again, and of negative electricity in the contrary direction. The magnetical condition of our earth is no doubt dependent upon the constant circulation of these currents, and not as Dr. Prout and other philosophers suppose, upon currents of thermo-electricity excited by the heat of the sun's rays; for if the magnetical condition of the earth depended upon the circulation of these thermo-electrical currents, the magnetic pole should always coincide exactly with the earth's axis of rotation, as the currents of thermo-electricity would flow continually in lines parallel to the plane of the equator. But if the currents of electricity circulating round the earth be excited by the inductive influence of the sun, they should not flow in lines parallel to the plane of the equator, but in lines parallel to the plane of the ecliptic. And consequently, as the currents of induced magnetism always flow at right angles to the current of electricity, the magnetic pole should not coincide with the earth's axis of rotation, but should vary from it a distance equal to the inclination of the axis to the plane of the ecliptic, and hence must be situated $23^{\circ} 28'$ from the pole. This view is very strongly corroborated by observations both in London and Paris, which give the distance of the greatest variation of the magnetic needle as above stated, so nearly that the difference may be fairly attributed to errors in observation.

Edgefield, (So. Ca.)

TO BE CONTINUED.

PRIMITIVE FREEDOM.

Look to the lovely past, where Liberty
Makes all elysium to the searching eye,
Scatters her sweets in rich profusion round,
And gives to honest joy the viol's sound;—
There, in the mazy dance, with festive glee,
They tread the native carpet of the free,
The grassy mead;—no smiling, false deceit,
Sheds its infectious dews where all is sweet;
Peace spreads her rural viands o'er the soil,
And Love presents the grateful bowl to Toil:
Young Beauty from the neck of purest snow,
Lifts the long tress to wipe stern Labor's brow:
Mirth leads the frolic then, from rustic throne,
And Freedom smiles, and calls the scene her own.

O L I O .

SCOTT'S CHARACTER OF GIFFORD.—“I observe in the papers my old friend Gifford's funeral. He was a man of rare attainments and many excellent qualities. His Juvenal is one of the best versions ever made of a classical author, and his satire of the Baviad and Mæviad squabashed at one blow a set of coxcombs, who might have humbugged the world long enough. As a commentator he was capital, could he but have suppressed his rancour against those who had preceded him in the task; but a misconstruction or misinterpretation, nay, the misplacing of a comma was, in Gifford's eyes, a crime worthy of the most severe animadversion. The same fault of extreme severity went through his critical labours, and in general he flagellated with so little pity, that people lost their sense of the criminal's guilt in dislike of the savage pleasure which the executioner seemed to take in inflicting the punishment. This lack of temper probably arose from indifferent health, for he was very valetudinary, and realized two verses, wherein he says Fortune assigned him—

— ‘One eye not over good,
Two sides that to their cost have stood
A ten year's hectic cough,
Aches, stitches, all the various ills
That swell the devlish doctor's bills,
And sweep poor mortals off.’

But he might also justly claim, as his gift, the moral qualities expressed in the next fine stanza—

— ‘A soul
That spurns the crowd's malign control,
A firm contempt of wrong;
Spirits above affliction's power,
And skill to soothe the lingering hour
With no inglorious song.’

He was a little man, dumpled up together, and so ill made as to seem almost deformed, but with a singular expression of talent in his countenance. Though so little of an athlete, he nevertheless beat off Dr. Wolcott, when that celebrated person, the most unsparing calumniator of his time, chose to be offended with Gifford for satirizing him in his turn. Peter Pindar made a most vehement attack, but Gifford had the best of the affray, and remained, I think, in triumphant possession of the field of action, and of the assailant's cane. G. had one singular custom. He used always to have a duenna of a housekeeper to sit in his study with him while he

wrote. This female companion died when I was in London, and his distress was extreme. I afterwards heard he got her place supplied. I believe there was no scandal in all this."

ANECDOTES OF HENRY IV. OF FRANCE.—When he signed the celebrated Edict of Nantes, he said: "Those that follow their conscience are of my religion. I am of the religion of all those who are honest men."

He was once requested to punish a person who had written a libel upon him. "I cannot," said he, "in conscience do any harm to a man who tells the truth."

"The first law of the Sovereign," said he, "is to observe them all; he has two Sovereigns, God and the Law."

"I am ashamed," said he one day, "to be so often guilty of gallantries with my gray beard; but let my subjects excuse them for the love I bear them."

WISDOM.—A wise man should never resolve upon a thing, at least never let the world know his resolution, for if he cannot arrive at that, he is ashamed. How many things did the King resolve in his declaration concerning Scotland, never to do, and yet did them all! A man must do according to accidents and emergencies.

2nd. Never tell your resolution before hand; but when the cast is thrown, play it as well as you can to win the game you are at. 'Tis but folly to study how to play size-ace, when you know not whether you shall throw it or no.

3rd. Wise men say nothing in dangerous times. The lion, you know, called the sheep, to ask her if his breath smelled: she said "ay;" he bit off her head for a fool. He called the wolf, and asked him; he said "no;" he tore him in pieces for a flatterer. At last he called the fox, and asked him: "truly he had got a cold and could not smell."

MONEY!—Money makes a man laugh. A blind fiddler, playing to a company, and playing but scurvily, the company laughed at him: his boy that led him, perceiving it, cried, "Father, let us begone, they do nothing but laugh at you." "Hold thy peace, boy," said the fiddler, "we shall have their money presently, and then we will laugh at them."

2nd. Euclid was beaten in Boccalino, for teaching his scholars a mathematical figure in his school, whereby he showed, that all the lives both of princes and private men tended to one centre, "con gentilezza," handsomely to get money out of other men's pockets and put it into their own.

3rd. In all times the princes in England have done something illegal to get money; but then came a parliament, and all was well; the people and the prince kissed and were friends, and so things were quiet for a while. Afterwards there was another trick found out to get money, and after they had got it, another parliament was called to set all right.—*Selden.*

EDITOR'S PORT FOLIO.

Hot work this; and yet must the Editor's Portfolio be filled, come what may, though his brain be sweltering with the servid heat, unfit for coinage—there may be metal there, perchance of the right kind and in a proper state of fusion, but there is no matrix sufficiently cool to bring it into form and comeliness. Let us review our scraps, long hid fragments, correspondents numberless as leaves on Vallombrosa, and stowed away in equally wild disorder. One would think from a glance at the mass of poetries that lie upon our leſt, the goats of the flock, upon all manner of paper, from the heavy, dingy brown foolscap to the pearl-like hue of the tinted note, that under this burning and copper arch of heaven, the mania a potu was most prevalent, and the only liquid they drain is of the fount of Castaly. First, as a refrigerator, take these lines from some sixty, on a

"THUNDER STORM IN A CITY."

"The long and weary day is drawing to a close;
But in the glowing west,
Barring the sun's pathway to his night's repose,
And slowly heaving high its raven crest,
Flecked with a belt of snowy hue,
Where beam the monarch's rays reflected through,
Rolls up the evening cloud,—
Still up it comes; the heavens are bowed"—* * * *

As well they might be with such lines. They are as zigzag as the forked flame and hoarse as the thunder when its throat is dry. Gather again from the immensity before us, and as Jacob Faithful says, "better luck next time." Ah! here is one of our robberies,—the fair author will pardon us. We acknowledge our sin, and plead in extenuation that we could not help it.—

"She stood beside the bed of death, that fair yet sorrowing child,
Ere scarce five summers o'er her birth in blushing beauty smiled;
All lovely in her grief she stood,—the brow so soft and fair,
The azure eye in dewy light,—the clustering silken hair,
The dimpled cheek as purely white as wreath of mountain snow,
The parted lips, so rosy once, now pale in speechless woe;
She saw her mother's parting breath and heard the last faint cry,
And felt, that child so young and fair, how hard it was to die.

"She dwelt within another home,—She shared the tender love
Of one who claimed a sister's name to her at rest above!
And childhood's ringing tones of mirth were sounding in her ear,
And laughing eyes gazed into hers, but wak'd no answer there;
While still the life hue from her cheek faded each hour away,
And heavier fell the fringed lid to hide the dim eye's ray;
Young loving arms her form entwined, and bright lips prest her brow,
A weak caress and sad, faint smile, was all her answer now.

"They culled for her the early flowers from many a leafy glade,
But still the lily loved she best, for mournfully she said,
'Twas like her mother's stainless brow ere death had laid her low,
And taken from her lip its smile and from her cheek its glow;
And when at eve the silent stars sent down their silver light,
Her slender finger pointed at the largest and most bright,
And oft she said, her mother dwelt enshrined in glory there,
And called on her to take her child away from sin and care.

"'Twas sad to see that lovely one, when others were so gay,
Resting her head upon her hand thro' all the weary day;
That fairy hand that seemed like pearl on threads of golden hue,
So clear its whiteness you might see the rich curls glowing through;
And when with merry bounding step their little toys they brought,
With tearful glance she turned away, it was not *these* she sought;
And yet she loved those children gay, and oftentimes would raise
Her little arms to clasp them tight with looks of sweetest praise.

"Upon the mother's bier were flung the star-like buds of spring,
Ere summer's flowery wreath was made the child was on the wing;
She fled with even's latest sigh from earthly gloom away
To that bright realm where Death is not, nor Sorrow hath a sway;
One word she spoke,—it was her last, a Mother's sacred name,
And surely at the dear one's call the sainted spirit came;
Round the deserted shrine of clay fair emblem flow'r's were hung,
And o'er her grassy resting place the birds a requiem sung."

We glory in this piece of larceny, and only wish there had been more trophies of the kind to bear away. Dip in again. Here is an attempt at the melancholic; it is a great relief for woe, real or imaginary, to lift the safety valve and let it fly into the astonished air, in the misty, noisy and drizzling shape of steam:

"I could have borne that thou should'st die
And pass from this fair earth,
That thy pure youth should bloom on high
Whence first it took its birth;
I could have seen the wild flowers lain
Upon that brow when chilled in death,
Those lips deep tinged by the fatal stain
That stamps them at the parting breath;
I could have"—

Nombre de Dios, friend; what could you not have borne except the reading of your own verses?—Videlicet:

"This living death I *cannot* bear,
This burial of the heart:"—

We would inform the person who wrote the above, that our undertakers do not as in the olden time of England, strew the frail children of the spring upon the brows of the frail daughters of Eve; but as a better mockery of death, array them in a most unbecoming cap, in which there is no incitement to poetry. We recommend ice freely and low diet to the victim of love and rhyme.

"A Silver Vision," is laid aside until the Banks resume, when we trust it will be no longer a vision.—

"There are spots which ever in Memory's bowers,
Beam with the light which once they wore,
Their hues are the hues of the young spring flowers,
But they live when the blossom and bud are no more;

Long years may slowly wear away,
But their glad light can ne'er decay:—
'Never, oh! never
Can stern Time sever
The links those hours have bound forever.'"

Very well for our correspondent L. G., a delicate hand too and bewitchingly puzzling; we are unable to decide whether it be of the masculine or feminine. Here is an effusion upon some scene in the country which has made an impression on the writer's fancy:

"It was a spot of fairy hue,
Where trembling branches gently threw
Their timid and still varying shade
Across the brightly verdant glade;
Full in the sun-light's glowing beam
Flowed calmly on the rippling stream,
And ever to its low-breathed song
Swelled echoing tones, the groves among.
The wild duck bathed her bosom there,
Rang the king-fisher's note in air;
While from the drooping moss that clung
To those gnarled boughs, and waving hung
Its feathery masses to the breeze,
Came the low hum of murmuring bees;
'Twas joyous Spring, when Nature pushes forth
Her shoots long trammeled by the chilly North,
The earth then puts her crown of glory on,
And smiles responsive to the wooing sun:—"

And so on;—the rest we beg leave to omit. Here again is a youth who deals thus with his *misfortune*; we grasp four lines at random:

"I loved you for your gentleness, or as _____ says
I loved you for your "petite" ness, your winning airs and ways,
But since I find you have no soul, you will not do for me;
So let us splice the main-brace, as they do say at sea."

"Courage, mon ami," wet your cordage sufficiently, clap your helm alee and make all sail on another tack.

Here is another, verse evidently, and worst of all inflictions, an epistle to the Editor in rhyme. How modest the commencement:

"I hope you'll deem this tale of grief diverting,
At least enough so, to be worth inserting;
Tho' ancient my plumage, this is my first flight,
I've lost my old, and now seek for new delight;
Cast not these *gray hairs* in sorrow to the grave,
Let me dip once again in Castalia's wave;
Or if you'd rather be extremely civil,
Just hand them to our *mutual* friend the *DEVIL*."*

As "our mutual friend" is not convenient at present in this extremely sultry weather, we will do the best we can, and light our cigar as a substitute.

Oh it is rich! No wonder "premature grey hairs" should have lighted on such a head. His tale of grief is quite diverting, a very laughable tragedy. His gray

* Printer's-devil.

hairs are likened unto: 1st. "Moon beams struggling thro' the clouds." 2nd. "Pale spectres bursting mid-night shrouds." 3rd.—

"They transverse my head

Like veins of a mine their darksome bed."

4th. "Elder-flowers." 5th. "Whited sepulchres." "Rosa sub Rosa," we are unwilling to part with thee; but we bid you in your own French: "au revoir." We shall take another slice when the weather cools down to the laughing point. "We'll meet at Philippi."

Now for a flight above the common and every day range,—something rarely chaste and neat, modestly too is it entitled:

"A STRAY THOUGHT."

"In the recesses of a stately wood,
An old decaying trunk for years had stood;
Unyielding as a rock, its outward bark
With age and tempests worn, was rough and dark;
But in its heart, with moss engirdled round,
A meek young violet a home had found.
It grew and flourished, and its blossoms shed
A balmy fragrance from their foreign bed.
E'en thus we meet with hearts that some deem cold,
But could we read aright, of finest mould;
Torn with the shocks of this tempestuous life,
Its hollow smiles, its treachery and strife;
They lock their holiest feelings in their breasts,
And shelter there love, faith, those heavenly guests;
They may seem cold, suspicious and unjust,
Yet not to such appearances we trust;
For like the violet's perfume, there will rise
The incense of their virtues to the skies."

Enough of this,—you have, good reader, a morsel in the above, to leave a pleasant twang in your mouth. Joy to you till we meet again.

LIFE OF SIR WALTER SCOTT.—Part 7th. By J. G. LOCKHART.—The concluding part of these memoirs cannot be read without emotions of painful interest. It presents the picture of a great and good man overtaken and surrounded, in the autumn of his years, by the thick clouds of misfortune, and released only by death from the toilsome and harrassing struggle with his adverse fortunes. There was something chivalrous and heroic in the bearing and conduct of Sir Walter Scott under the pressure of calamities and embarrassments that would have borne down the spirit of any less resolute man. His manly fortitude rose with the occasion, as if to show itself the master not the slave of circumstance. Suddenly reduced from a condition of independence and affluence to one of utter insolvency;—stripped, at a single stroke, of the earnings of a whole life of laborious and almost unexampled industry, and encumbered besides with an immense load of responsibility and debt, he received the blow only to recover from it with an elasticity of spirit, and a steadiness and energy of purpose, that reflected upon him as much honor as did any previous achievement of his genius. When the unwelcome truth burst upon him, he indulged in no idle complaints and unavailing regrets, but set instantly to work, resolved, if health and strength were spared him,

to discharge all his obligations and repair his broken fortunes. If his exertions from that day forward were no longer labors of love, they were at least discharged with a scrupulousness of fidelity and a cheerfulness of spirit worthy of all praise. If the laborer sunk at last under his burden, it was from pure exhaustion of nature and the inability of his strength to keep pace with his will.

Of the literary execution of this work, the critical world has already signified its almost universal approbation. We cannot join in the objection of some to the length to which it has been extended; for every trait in the character, and every incident in the history, of one who was so praiseworthy in all the relations of life, and who has exercised such a large and beneficial influence over his times, is worth recording and preserving.

OLIVER TWIST. By Boz.—Beyond all doubt, Mr. Dickens is the most fertile author of the present day. Sketch after sketch, ludicrous, sentimental and pathetic, flows from his pen with the utmost rapidity. In this his present work, there seems to be more of a connected and definite purpose, more of the "unities" than has been the peculiarity of his former productions. It is, as almost all English writing of the present day seems to be, a strong picture of the evils under which the lower classes of that country labour. It is a most touching and powerful delineation of the Poor Law system, or as his own Bumble would say, the "porochial." This has been one of the greatest curses under which the mighty frame of English society has labored. The bitterness of the cup is as yet unexhausted. Connected in some degree with this, the main political purpose of the story, is an exposition of the conduct of the haunts of early depravity, mature crime and gray villainy in the vast metropolis. The iniquity which lies like a heavy weight upon the great heart of England, is fearlessly traced to its source, and the scalpel of the writer lays bare and unveils the full enormity and horror of the disease. Apart from these its higher purposes and ends, there is a great fund of pleasure to the careless reader, in the strong and accurate delineation of character, sometimes indeed, too minute and detailed; in the strange mingling of the most powerful and natural pathos with the wild extravagance of humor, and in the startling opposition of the persons and incidents introduced. Still the book has its faults,—its humour sometimes degenerates into oddness of expression, its pathetic scenes seem overstrained;—but on the whole it more than sustains,—it adds much to the already high reputation of its author.

CALDERON THE COURTIER. By the author of "Leila."—To be had at Mr. Beile's.—This is a short tale of Court intrigue which Mr. Bulwer's fruitful pen has thrown off in a few hours of relaxation and leisure. If it does not afford us a full length picture of the life of a courtier, it impresses upon us most vividly the *moral* of such a life. No where has the science of intrigue been carried to greater perfection than in Spain since the accession of the House of Austria to the throne, and no where have the minions of Royal favor been subjected to more signal and startling reverses of fortune. The historical subject upon

which this tale is founded, has been well selected for the purpose of illustration. It exhibits to us not only the favorite child of Fortune suddenly converted into the very mock and football of the fickle goddess, but a whole group of plotters and intriguers involved in their own meshes and made the dupes and victims of the machinations they had devised for the ruin of others. Many a better man than Roderigo Calderon, has perilled life and more for the Prince, who deserted him in his age and left him naked to his enemies.—The story is told with more ease and simplicity than usually belongs to Mr. Bulwer's style. The subject affords excellent materials for a drama.

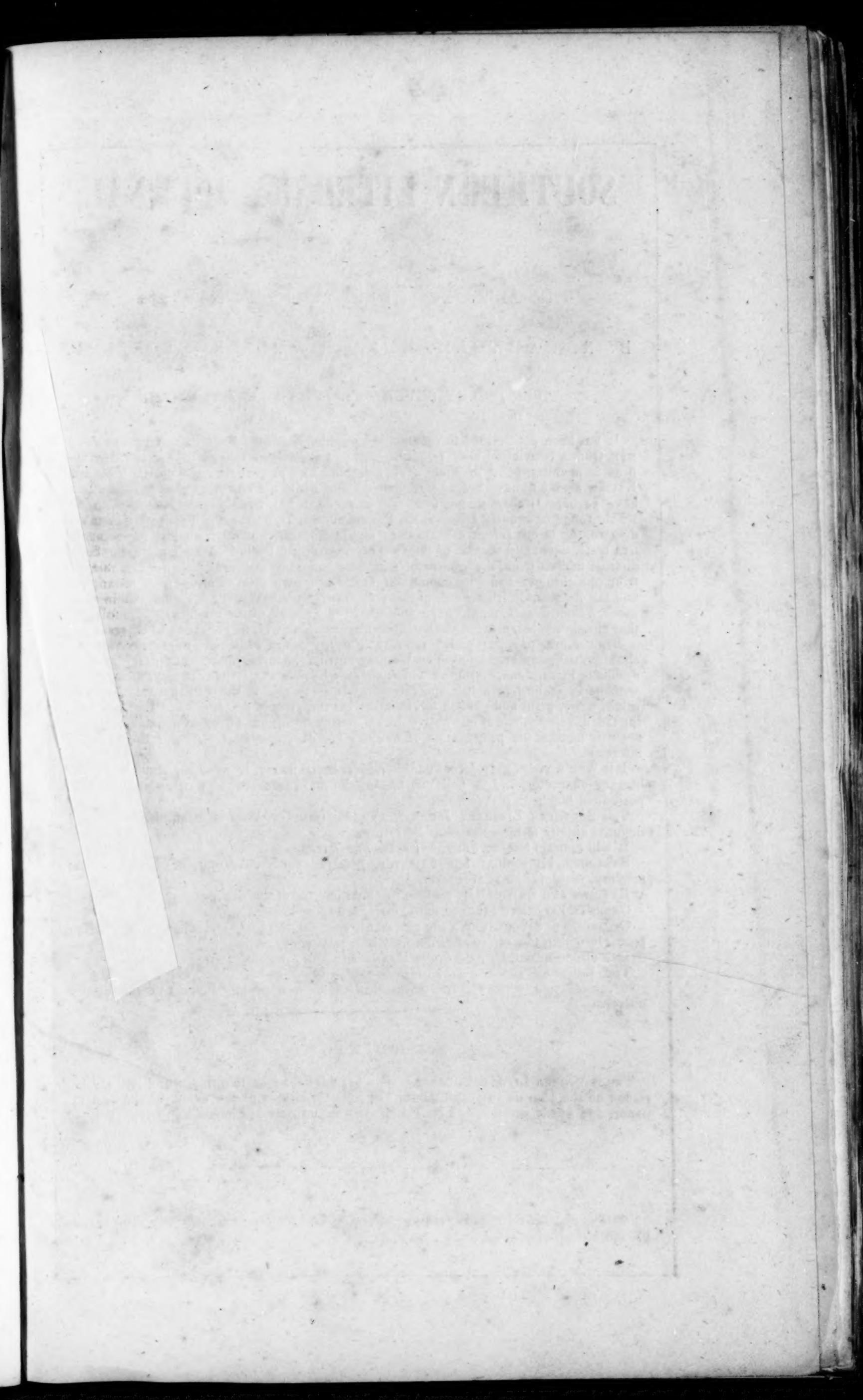
MR. CARLYLE, THE ENGLISH REVIEWER.—We do not wish, in any manner, to detract from the high reputation Mr. Carlyle has obtained among a certain class of readers, and are willing that those who admire his strong but fantastical imagery and startling style should accord their eulogium to their heart's content. But the reputation he has acquired as a profound delineator and searcher into character, rests on a more hollow and unsound basis.

His views of Mirabeau are not original, or at least they are very similar to those already expressed in a review of the "Memoirs of a Peer of France" in one of the numbers of the Southern Review. The coincidence is striking, and without wishing to accuse Mr. Carlyle of plagiarism, we desire to render the honor, if honor there be, to the one who first uttered the opinions, so highly extolled in Mr. Carlyle.

His style is his own, though some might say, it is a thing of shreds and patches; but the leading idea of the article in question, is embodied in a different, and to our fancy, a better form.

We take advantage of this casual notice, to enter in our protest against Mr. C's. views of the character of Scott. There was too much of the true, natural and quiet, in the genius of the Northern wizard for Mr. C's. vitiated palate; he rejected and depreciated the qualities so unsuited to his taste, as he who is long used to stimulants loathes a simple diet. Carlyle is altogether Botanic in his practice; Lobelia and Cayenne are his lightest medicaments. Scott was of a higher and purer mould. Every thing fair and beautiful went home to his heart, dwelt and nestled there, as one of his own mountain lakes mirrors forth the blue arching heaven and the scenery around, until the image is as beautiful and true as the reality. He lives in our affections, and will ever thrive there until the affections themselves perish.

THE HOMEWARD BOUND; OR THE CHASE. By the author of the "Pilot," &c.— We have slightly glanced over this work with no small expectation of delight, which was somewhat disappointed. We remembered only the Pilot, the Red Rover, and forgot entirely for the time the Heidenmauer and the Gleanings in Europe. The brief limits of this hasty notice, will not allow more than an expression of our sense of the author's failure to sustain his high reputation in works whose scene is on the ocean. We are the more willing to pass the Homeward Bound, thus carelessly by, as we are promised a review of the work for our next, by a competent and able hand, in which, we doubt not, full justice will be done to its merits and defects.



SOUTHERN LITERARY JOURNAL,

A N D

MAGAZINE OF ARTS.

B. R. CARROLL, EDITOR AND PROPRIETOR.

ASSISTED BY SEVERAL LITERARY GENTLEMEN.

IT HAS been determined to resume the publication of the SOUTHERN LITERARY JOURNAL, from a conviction very generally felt and expressed, that the South stands at this time in peculiar need of such a periodical. The project for reviving the Southern Review seems to have been relinquished; and while the Northern and Middle States have perhaps twenty magazines, we can count but two besides our own, in the whole range of country South of the Potomac. Such a contrast is disadvantageous and disparaging to our Literary character; and is certainly not warranted by the comparative taste, talent and wealth of the two sections of the Union. Why should the South distrust herself when the genius of her sons is finding encouragement, and achieving triumphs abroad; and why should she suffer her own literary enterprises to languish and fail for want of timely aid, at the very time she is bestowing a liberal, and in many cases, a well deserved patronage on those of other parts of the country? It is full time that she should learn to be just and true to herself, as well as generous to others.

Besides, our peculiar policy renders it highly desirable, if not necessary, that we should possess an organ to which we may entrust the interpretation and defence of our domestic institutions, and upon which we may be able at all times to rely, as identified with us in feeling, principle and interest. If the people of the South would begin to think, write, print and publish for themselves, they would not only furnish opportunity for the development of our native mind and material, but provide themselves ampler security against the propagation of writings and doctrines destructive of their dearest interests.

It is with a view, therefore, to encourage a *home policy*, to raise the standard of our literary character, and to call out the intellectual resources of our region, that this periodical has been revived.

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